

Washington, Thursday, February 15, 1940

The President

PAN AMERICAN DAY AND THE FIFTIETH AN-NIVERSARY OF THE FOUNDING OF THE PAN AMERICAN UNION

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS in 1930 the Governing Board of the Pan American Union recommended that April 14 be designated as Pan American Day in all the American Republics, and that it be established as a commemorative symbol of the sovereignty of the American nations and the voluntary union of all in one continental community; and

WHEREAS during the past ten years Pan American Day has been annually observed and has increased in significance through its emphasis on the spirit of peace, friendship, and cooperation uniting the nations of the American Continent; and

WHEREAS in 1940 Pan American Day will be especially important because it will mark the Fiftieth Anniversary of the founding of the Pan American Union, the international organization of the twentyone American Republics, which was established in accordance with a resolution adopted on April 14, 1890, by the First International Conference of American states and which, during the last half century, has constantly fostered the development of closer economic, cultural, and juridical relations between the nations of the Western Hemisphere; and

WHEREAS it is most appropriate that the people of the United States should commemorate this significant occasion and thereby testify to the close bonds of friendship that unite the Government and people of the United States with those of the other republics of the American Continent;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United

buildings, and do hereby invite the churches, the educational institutions, the civic associations, and the people of the United States generally to observe with appropriate commemorative ceremonies this Pan American Day and the Fiftieth Anniversary of the founding of the Pan American Union.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be

DONE at the City of Washington this day of February, in the year of our Lord nineteen hundred and forty, and of the Independence of the United States of America the one hundred and sixty-fourth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 2386]

[F.R. Doc. 40-676; Filed, February 14, 1940; 12:06 p.m.]

EXECUTIVE ORDER

AMENDING THE FOREIGN SERVICE REGULA-TIONS OF THE UNITED STATES

By virtue of and pursuant to the authority vested in me by section 1752 of the Revised Statutes of the United States (22 U.S.C. § 132), it is ordered that the Foreign Service Regulations of the United States be, and they are hereby, amended by prescribing the following as Chapter VI thereof:

CHAPTER VI-CORRESPONDENCE, REPORTS, AND MAIL

VI-1. Conduct of official correspondence.-(a) Authority of officers of the Foreign Service to correspond on official matters. Subject to such regulations as may be prescribed by the Secretary of State, officers of the Foreign Service may correspond on official matters with States of America, do hereby order that the government of the country to which on April 14, 1940, the flag of the United they are assigned or accredited, with States be displayed on all Government the Secretary of State, and with the fol-

THE PRESIDENT

| L'IOCICHIE CIOIL. | |
|----------------------------------------------------|-------------|
| Pan American Day and the 50th | |
| Anniversary of founding of | |
| Pan American Union | 671 |
| Executive Orders: | A MARKET OF |
| Alabama, lands transferred for | |
| use, etc., of Tennessee Val- | |
| use, etc., of fellilessee var- | 672 |
| ley Authority | 014 |
| Foreign Service Regulations | |
| amended (correspondence, | 004 |
| reports, etc.) | 671 |
| DILLEG DEGIL AUTONG | |
| RULES, REGULATIONS, | |
| ORDERS | |
| TITLE 6-AGRICULTURAL CREDIT: | |
| Farm Credit Administration: | |
| | |
| Federal Land Bank of Co- | |
| lumbia, reamortization | |
| of loan fees, regulation | 000 |
| amended | 672 |
| TITLE 7—AGRICULTURE: | |
| Federal Surplus Commodities | |
| Corporation: | |
| Food order stamp violations, | |
| regulations amended | 673 |
| TITLE 9-ANIMALS AND ANIMAL | |
| PRODUCTS: | |
| Bureau of Animal Industry: | |
| Counties placed in modified | |
| tuberculosis-free accred- | |
| ited areas | 673 |
| TITLE 14—CIVIL AVIATION: | |
| Civil Aeronautics Authority: | |
| Civilian schools giving air- | |
| eveft ate instruction | |
| craft, etc., instruction, rating and certification | |
| rating and certification | 673 |
| of Effective dates of amend- | 010 |
| Effective dates of amend- | |
| ments to civil air regula- | 0770 |
| tions | 673 |
| Ground school instructors, | - |
| rating of | 675 |
| Mechanics, certification of | 684 |
| Military competence for pi- | |
| loting aircraft under in- | |
| strument conditions | 684 |
| Pilots, certification of | 676 |
| Repair stations, certification | |
| of | 676 |
| (Continued on next page) | |
| (Continued on next page) | |



Published daily, except Sundays, Mondays, And days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Ampivist or Acting Archivist, an officer

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the Federal Register will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year; single copies 10 cents each; payable in advance. Remit money order payable to the advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C.

CONTENTS-Continued

TITLE 19-CUSTOMS DUTIES: Bureau of Customs: Page Countervailing duties, Canadian cheese _ TITLE 30-MINERAL RESOURCES: Bituminous Coal Division: Form of acceptance of Bitu-

minous Coal Code_____ NOTICES

Department of Labor: Wage and Hour Division: Decorative Greens Industry, seasonal industry determination review___ Federal Communications Commission:

Anthracite Broadcasting Co., Inc., correction of hearing

notice__ Securities and Exchange Com-

mission:

American Gas and Electric Co., notice of hearing_____

Treasury Department:

Public Debt Service:

Treasury Bonds of 1940-43, 3 % %, notice of call for redemption_____

lowing branches and officials of the Government of the United States, but with no one else:

- (1) American officials stationed or temporarily residing in foreign countries, and officials of insular possessions of the United States:
 - (2) The Department of Agriculture;
 - (3) The Department of Commerce;
- (4) The Comptroller General of the United States:
- (5) Collectors of customs and appraisers:
 - (6) Immigration inspectors;
- (7) Officials of other departments in reply to inquiries from them.

(b) Authority of officers of the Foreign Service to correspond on matters of private business. Subject to such regulations as may be prescribed by the Department of State, an officer of the Foreign Service may correspond in his official capacity with any person on matters which relate strictly to the private business of such person.

(c) Duties of officers of the Foreign Service in connection with the conduct of correspondence. Officers of the Foreign Service shall perform the following duties in connection with the conduct of

official correspondence:

(1) Inaugurate correspondence whenever required to do so by the Secretary of State, the Foreign Service Regulations, or the exigencies of the situation:

(2) Acknowledge promptly all correspondence addressed to them in their official capacity and, subject to such limitations as may be prescribed in these Regulations, supply the inquirers with the information requested:

(3) Submit such reports as are required or authorized by the terms of

these Regulations;

686

688

(4) Transmit copies of all documents, publications, newspaper items, foreign laws, decrees, translations, and such items of information as may be required by the Secretary of State for the use of the Department of State or of other Government departments.

VI-2. Preparation and transmission of official correspondence and mail. Officers of the Foreign Service shall prepare and transmit official correspondence and mail in accordance with such rules and regulations as may be prescribed by the Secretary of State.

VI-3. Disposition of unofficial mail received at Foreign Service offices. Unofficial mail received at Foreign Service offices shall be disposed of in accordance with such rules and regulations as the Secretary of State may prescribe.

Cancellation of Regulations

The following provisions of the Foreign Service Regulations of the United States are hereby canceled:

Part I

Sections VIII-1 to VIII-7, inclusive, VIII-9, XI-11, XV-3, XVI-18 to XVI-20, inclusive, XVII-14, XVII-15, XVII-18, XVII-21, XVII-23 to XVII-27, inclusive. Chapter XVIII.

Part II

Sections VI-97, XXIV-439, XXIV-445, XXIV-448, XXIV-450, XXIV-460, XXIV-463, XXIV-476, XXVIII-595, XXVIII-596. XXVIII-603F.

Chapter IX.

Revocation of Executive Orders

The following Executive orders are hereby revoked:

Executive Order No. 3653-A dated March 27, 1922.

Executive Order No. 3899 dated September 6, 1923.

Executive Order No. 3900 dated September 11, 1923.

Executive Order No. 5463 dated October 15, 1930.

Executive Order No. 7439 dated August 24, 1936.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE. February 12, 1940.

[No. 8346]

[F. R. Doc. 40-664; Filed, February 13, 1940; 3:46 p. m.]

EXECUTIVE ORDER

TRANSFERRING THE USE, POSSESSION, AND CONTROL OF CERTAIN LANDS TO THE TENNESSEE VALLEY AUTHORITY

ALABAMA

By virtue of the authority vested in me by section 7 (b) of the Tennessee Valley Authority Act of 1933, approved May 18, 1933 (48 Stat. 58, 63), it is ordered that the use, possession, and control of the following-described public lands in the state of Alabama be, and they are hereby, transferred to the Tennessee Valley Authority for the purposes stated in the said Tennessee Valley Authority Act of 1933:

Huntsville Meridian

T. 6 S., R. 1 E., sec. 25, west part ("B") of SE fractional ¼ (north of Tennessee River), containing 52 acres. T. 6 S., R. 2 E., sec. 31, NW¼SW¼ (south of Tennessee River), containing 40 acres.

Executive Order No. 6964 of February 5, 1935, as amended, temporarily withdrawing public lands in the state of Alabama and other states for classification, etc., is hereby revoked as to the above-described lands.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE, February 12, 1940.

[No. 8347]

[F. R. Doc. 40-665; Filed, February 13, 1940; 3:46 p. m.]

Rules, Regulations, Orders

TITLE 6-AGRICULTURAL CREDIT CHAPTER I-FARM CREDIT ADMINISTRATION

IF.C.A. 1661

THE FEDERAL LAND BANK OF COLUMBIA REAMORTIZATION OF LOAN FEES

Section 23.8 of Title 6, Code of Federal Regulations, is amended to read as fol-

"§ 23.8 Reamortization of loan fees. Applicants for reamortization of Bank loans and Commissioner loans will not be required to pay a reamortization fee; however, applicants will be obligated to pay any outside expense incident to the reamortization, such as abstract and recording fees. (Sec. 13 "Thirteenth," as added by sec. 4, 47 Stat. 1548, sec. 32, 48 stat 48, as amended, secs. 1, 2, 48 Stat. effective September 10, 1936, the follow-344 345: 12 U.S.C. 781 "Thirteenth." 1016. 1020, 1020a, and Sup.; 6 CFR 19.4043, [Res. Ex. Com., January 25, 1940.]"

[SEAL]

THE FEDERAL LAND BANK OF COLUMBIA,

By JULIAN H. SCARBOROUGH, President.

[F. R. Doc. 40-667; Filed, February 14, 1940; 11:40 a. m.]

TITLE 7-AGRICULTURE

CHAPTER V-FEDERAL SURPLUS COMMODITIES CORPORATION

AMENDMENT TO RULES OF PROCEDURE AND PRACTICE GOVERNING THE INVESTIGATION AND DETERMINATION OF ALLEGED VIOLA-TIONS OF REGULATIONS AND CONDITIONS PERTAINING TO FOOD ORDER STAMPS

Sections 100 (g), 200, 201 (c), 202 (e), 204, 205, 207, 208 and 210 of the "Rules of Procedure and Practice Governing the Investigation and Determination of Alleged Violations of Regulations and Conditions Pertaining to Food Order Stamps", made and prescribed by the President of the Federal Surplus Commodities Corporation on January 16, 1940, and published in the FEDERAL REGISTER January 23, 1940, are hereby amended as follows:

Sections 100 (g), 200, 201 (c), 202 (e) 204, 205, 207, 208 and 210 are amended by striking the following phrase:

"President or the Acting President"

wherever it appears in the above enumerated sections and substituting in lieu thereof the following:

"President, Acting President, or the Executive Vice President."

In testimony whereof, I have hereunto set my hand and caused the official seal of the Federal Surplus Commodities Corporation to be affixed thereto, in the City of Washington, this 12th day of February 1940.

[SEAL]

MILO PERKINS, President.

FEBRUARY 12, 1940.

[F. R. Doc. 40-661; Filed, February 13, 1940;

TITLE 9-ANIMALS AND ANIMAL 1943. PRODUCTS

CHAPTER I-BUREAU OF ANIMAL INDUSTRY

[Amendment 40 to Declaration No. 121]

DECLARING NAMES OF COUNTIES PLACED IN MODIFIED TUBERCULOSIS-FREE ACCRED-ITED AREAS

FEBRUARY 1, 1940.

In accordance with Section 2 of Regulation 7 of B.A.I. Order 309, as amended

ing named counties, having completed the necessary retests for reaccreditation, are hereby continued in the status of "Modified Accredited Areas" until the date given opposite each county named.

Arkansas: Yell, February 1, 1943.

California: Del Norte, February 1, 1943; Humboldt, February 1, 1943.

Colorado: San Juan, February 1, 1943. Idaho: Latah, February 1, 1943; Lemhi, February 1, 1943; Twin Falls, February 1, 1943; Washington, February 1, 1943.

Illinois: Cook, February 1, 1943; Hancock, February 1, 1946; Ogle, February 1, 1943,

Iowa: Dickinson, February 1, 1943. Kansas: Harvey, February 1, 1943.

Michigan: Allegan, February 1, 1943. Minnesota: Traverse, February 1, 1946; Wadena, February 1, 1946.

Missouri: Buchanan, February 1, 1943: Ripley, February 1, 1943; St. Francois, February 1, 1943; Worth, February 1, 1943

Montana: Daniels, February 1, 1943.

Nebraska: Banner, February 1, 1943; Dawes, February 1, 1943; Fillmore, February 1, 1943; Logan, February 1, 1943; Saline, February 1, 1943; Scotts Bluff, February 1, 1943; Sioux, February 1, 1943.

New Jersey: Atlantic, February 1, 1942. New York: Erie, February 1, 1943; Rensselaer, February 1, 1943.

North Carolina: Durham, February 1, 1943; Hoke, February 1, 1943.

North Dakota: Pierce, February 1 1946; Renville, February 1, 1946; Towner, February 1, 1946; Williams, February 1,

Ohio: Columbiana, February 1, 1943; Gallia, February 1, 1943.

Pennsylvania: Cambria, February 1, 1943: Carbon, February 1, 1943; Columbia, February 1, 1943; Indiana, February 1, 1943; Mercer, February 1, 1943; Potter, February 1, 1943; Wyoming, February 1, 1943.

South Carolina: Berkeley, February 1, 1943; Fairfield, February 1, 1943.

Tennessee: Lewis, February 1, 1943.

Texas: Collin, February 1, 1943; Comal, February 1, 1943; Harrison, February 1, 1943; Karnes, February 1, 1943; Rockwall, February 1, 1943; Wise, February 1, 1943.

Utah: Juab, February 1, 1943.

Washington: San Juan, February 1,

Puerto Rico: Aguadilla, February 1, 1943.

Declaration No. 12.º dated October 1. 1936, as amended, is hereby further amended accordingly.

[SEAL]

J. R. MOHLER, Chief of Bureau.

[F. R. Doc. 40-662; Filed, February 13, 1940; 2:04 p. m.]

TITLE 14—CIVIL AVIATION

CHAPTER I-CIVIL AERONAUTICS AUTHORITY

ORDER PRESCRIBING THE EFFECTIVE DATE OF PARTS 51 AND 53, THE REVISION OF PARTS 20, 24 AND 52 AND SECTION 60.50, AND THE DELETION OF PARTS 23 AND 25, OF THE CIVIL AIR REGULATIONS

At a session of the Civil Aeronautics Authority held at its office in Washington, D. C., on the 2nd day of February 1940

Acting pursuant to the authority vested in it by the Civil Aeronautics Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of and to exercise and perform its powers and duties under said Act, the Civil Aeronautics Authority orders that: Part 51 of the Civil Air Regulations, adopted by the Authority November 7, 1939; Part 53 of the Civil Air Regulations, adopted by the Authority October 3, 1939; the amendment to Part 20, adopted by the Authority on November 7, 1939 and further amended heretofore on this day, February 2, 1940; the amendments to Parts 23 and 52 and section 60.50 of the Civil Air Regulations. adopted by the Authority November 7, 1939; and the amendment to Parts 24 and 25 of the Civil Air Regulations. adopted by the Authority December 22, 1939, shall become effective May 1, 1940.

By the Authority.

ISEAT. 1 PAUL J. FRIZZELL, Secretary.

[F. R. Doc. 40-668; Filed, February 14, 1940; 11:41 a. m.)

[Amendment 31, Civil Air Regulations]

PROVIDING FOR THE RATING AND CERTIFICA-TION OF CIVILIAN SCHOOLS GIVING IN-STRUCTION IN AIRCRAFT AND AIRCRAFT ENGINE MECHANICS

At a session of the Civil Aeronautics Authority held at its office in Washington, D. C., on the 3rd day of October 1939.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, particularly sections 205 (a), 601 (a) and 607 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under said Act, the Civil Aeronautics Authority hereby amends the Civil Air Regulations as follows:

Effective May 1, 1940, the Civil Air Regulations are amended by adding a new Part as follows:

PART 53-MECHANIC SCHOOL RATING

Sec.

Mechanic school rating certificate re-53.1 quirements.

Curriculum. 53.10

Mechanic instructors. 53.11

Mechanic instructors, ratio.

53.13 Facilities, equipment and material. 53.2 Student instruction.

53.20 Student examinations.

¹ Supplements footnote to 9 CFR 77.3.

^{2 1} F.R. 1338.

Sec. 53.21 Records 53.22

Reports. Graduation certificate. 53.24 Standard of instruction.

53.25 Credit for extra curricular work. Mechanic school certificate.

Application. Display. 53.31

Duration. Non-transferability. 53.33

Surrender. 53.35 Inspection. General rules.

Advertising. Curriculum changes

Maintenance of facilities, equipment 53.42 and material.

§ 53.1 Mechanic school rating certificate requirements.—To be eligible for a rating as a mechanic school and certification as such an applicant shall comply with the following requirements:

§ 53.10 Curriculum. (a) An applicant shall have a curriculum of not less than 1650 hours of instruction in the theory and practice of construction, inspection, maintenance, overhaul, and repair of aircraft, aircraft engines, propellers, and their appliances, and in the contents of the applicable Civil Air Regulations. This curriculum shall be designed to be completed in not less than one year.

(b) The applicant may also secure approval by the Authority of the following additional curricula:

(1) An aircraft curriculum which shall include all subjects appearing in the aircraft and aircraft engine curriculum specifically dealing with aircraft, including the applicable provisions of the Civil Air Regulations. This curriculum shall include not less than 960 hours of instruction and shall be designed to be completed in not less than 8 months.

(2) An aircraft engine curriculum which shall include all subjects appearing in the aircraft and aircraft engine curriculum specifically dealing with aircraft power plants, including the applicable provisions of the Civil Air Regulations. This curriculum shall include not less than 960 hours of instruction and be designed to be completed in not less than 8 months.

(c) Each curriculum described in this section shall provide for instruction in all the subjects necessary properly to qualify the student to perform the duties and functions of the position for which he may seek an airman certificate.

§ 53.11 Mechanic instructors. The applicant shall have, for all subjects included in any approved curriculum, instructors holding valid mechanic certificates and valid ground instructor certificates, with ratings for each certificate appropriate for the subject or subjects in which such persons give instruction: Provided. That the applicant may be deemed to have met this requirement if he shows that any such instruction being given by a person not so rated and certificated is being given under the direct

the certificate and ratings required by ered by the report and the reasons this section.

§ 53.12 Mechanic instructors, ratio. The applicant shall have at least one instructor giving instruction in each subject in an approved curriculum for each 25 students simultaneously receiving instruction in that subject.

§ 53.13 Facilities, equipment and material. An applicant shall have the following facilities, equipment, and material:

(a) Suitable classrooms adequate to accommodate the largest number of students scheduled for attendance at any one time. Such classrooms shall be properly heated, lighted and ventilated.

(b) Suitable shop space adequate to accommodate the largest number of students scheduled for attendance at any one time. Such shop space shall be at least 10,000 sq. ft. in area and shall be properly heated, lighted and ventilated.

(c) Material and equipment of the kind and quantity necessary to give each student theoretical and practical training in the use of such material and equipment sufficient to qualify him to perform the duties and functions of the position for which he may seek an airman certificate.

§ 53.2 Student instruction.

§ 53.20 Student examinations. Upon completion of each subject included in any approved curriculum, each student taking such subject shall be given an appropriate examination. The student's examination, or, in the case of a practical examination, a report thereof, shall be kept by the school as a part of its records for not less than one year from the date of the termination of the student's enrollment.

§ 53.21 Records. Certificated mechanic schools shall keep an accurate individual record of each student enrolled therein, which record shall include a chronological log of all instruction, attendance, subjects covered, examinations and examination grades. The entire record shall be certified by an authorized official of the school familiar with the facts contained therein.

§ 53.22 Reports. On the first day of January and July of each year and at such other times as the Authority may require, every holder of a mechanic school certificate shall transmit to the Authority a correct and completely executed report on the form prescribed and furnished by the Authority. Such report shall include the following information as to students enrolled in the course or courses approved by the Authority:

(a) The names of all students enrolled. (b) The course or courses for which

they are enrolled.

(e) The names of the students who have been graduated within the period covered by the report and the course or courses from which graduated.

(d) The names of all students dropped supervision of a full-time instructor with from enrollment within the period cov- spection or examination which may be

therefor.

§ 53.23 Graduation certificate. Each student graduating from a certificated mechanic school who has satisfactorily completed an approved curriculum shall be given a graduation certificate executed on a form prescribed and furnished by the Authority.

§ 53.24 Standard of instruction. The standard of instruction in a certificated mechanic school shall be sufficiently high to insure that an average of eight out of ten of its graduates who apply within one year after graduation will qualify for a mechanic certificate and rating corresponding to the curriculum from which they were graduated. This average shall be computed on the basis of the number of students graduated by the school during each six months' period after May 1, 1940, who apply and are examined for the mechanic certificate and rating corresponding to the curriculum from which they were graduated.

§ 53.25 Credit for extra-curricular work. A student who is engaged in a mechanical occupation, the nature of which is comparable to some portion of the curriculum in which he is enrolled. may receive credit for a number of hours equivalent to the experience received, in lieu of such portion of the curriculum: Provided, That such credit shall not exceed 400 hours in the 1650 hour curriculum, nor 200 hours in each 960 hour curriculum.

§ 53.26 Hours of attendance. No student shall be given a graduation certificate unless such student has been in attendance not less than 98 percent of the total hours required by the school to complete the approved curriculum for which he was enrolled.

§ 53.3 Mechanical school certificate.

§ 53.30 Application. Application for a mechanic school certificate shall be made upon the applicable form prescribed and furnished by the Authority, and shall be accompanied by two copies of any proposed curriculum.

§ 53.31 Display. A mechanic school certificate shall be presented for inspection upon the reasonable request of any

§ 53.32 Duration. A mechanic school certificate shall be of 60 days' duration and, unless the holder thereof is otherwise notified by the Authority within such period, shall continue in effect indefinitely thereafter, unless suspended or revoked by the Authority.

§ 53.33 Non-transferability. A mechanic school certificate is not transferable.

§ 53.34 Surrender. Upon the suspension, revocation, or expiration of a mechanic school certificate, the holder of such certificate shall, upon request, surrender such certificate to any officer or employee of the Authority.

§ 53.35 Inspection. The applicant for a mechanic school certificate shall offer full cooperation with respect to any inmade of said applicant, its personnel, fa- | Sec. cilities, equipment, and records, upon proper request by any authorized representative of the Authority prior or subsequent to the issuance of a mechanic 51.30 school certificate.

§ 53.4 General rules.

§ 53.40 Advertising. No certificated mechanic school shall in any manner make any statement pertaining to such school which is false or is designed to mislead any person contemplating enrollment in such school: Provided, That any advertising which indicates that such school is approved by the Authority shall clearly differentiate between those subjects which have been approved by the Authority and those which have not.

§ 53.41 Curriculum changes. No change shall be made in any approved curriculum prior to approval of the change by the Authority. Unless the school is notified to the contrary within 60 days after submission of the proposed change to the Authority, such change will be deemed to have been

approved.

§ 53.42 Maintenance of facilities, The holder equipment and material. of a currently effective mechanic school certificate shall maintain personnel, facilities, equipment, and material at least equal in quality and quantity to those required for the issuance of such a certificate.

By the Authority.

[SEAL]

PAUL J. FRIZZELL, Secretary.

[F. R. Doc. 40-669; Filed, February 14, 1940; 11:43 a. m.]

[Amendment 35, Civil Air Regulations]

CREATING A NEW METHOD FOR RATING OF GROUND SCHOOL INSTRUCTORS

At a session of the Civil Aeronautics Authority held at its office in Washington, D. C., on the 7th day of November

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, particularly sections 205 (a), 601 (a), and 607 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of and to exercise and perform its powers and duties under said Act, the Civil Aeronautics Authority hereby amends the Civil Air Regulations as follows:

Effective May 1, 1940, the Civil Air Regulations, as amended, are amended as follows:

- 1. By striking Part 23 thereof.
- 2. By adding a new Part as follows:

PART 51-GROUND INSTRUCTOR RATING

Sec.

- 51.1 Ground instructor rating and certificate requirements.
 Ground instructor certificate. 51.2
- Application. Display. 51.21
- Duration.
- Periodic endorsement requirements.

Special issuance.

51.25 Non-transferability

Surrender.

51.27 Re-examination

51.3 Ground Instructor Rating Record. Application to amend.

Examinations and tests.

§ 51.1 Ground instructor rating and certificate requirements. A ground instructor rating and certificate with respect to any ground school subject in which a certificated flying school is required to provide instruction will be issued to an applicant who complies with the following requirements:

(a) Age. Applicant shall be at least 18 years of age.

(b) Character. Applicant shall be of good moral character.

(c) Citizenship. Applicant may be of

any nationality.

(d) Aeronautical knowledge. Applicant shall have practical and theoretical knowledge of each ground school subject with respect to which he seeks a rating. Such knowledge shall be sufficient to accomplish satisfactorily a written examination thereon.

§ 51.2 Ground instructor certificate.

§ 51.20 Application. Application for a ground instructor certificate shall be made upon the applicable form prescribed and furnished by the Authority.

§ 51.21 Display. A ground instructor certificate shall be kept readily available to the instructor at all times when he is engaged in giving instruction in any ground school subject with respect to which he is rated, and shall be presented upon the request of any student receiving such instruction, school officer, or authorized representative of the Authority.

§ 51.22 Duration. A ground instructor certificate shall be of 60 days' duration and, unless the holder thereof is otherwise notified by the Authority within such period, shall continue in effect indefinitely thereafter, unless suspended or revoked by the Authority, except that it shall immediately expire (1) at the end of each designated period 1 after the date of issuance thereof if the holder of such certificate fails to secure an endorsement by an authorized inspector of the Authority within the last 45 days of each period, or (2) at any time when an authorized inspector of the Authority shall refuse to endorse such certificate after inspection or examina-

§ 51.23 Periodic endorsement requirements. No ground instructor certificate shall receive a periodic endorsement with respect to any subject for which the holder thereof is rated, unless

¹A statement of duration in substantially the form of § 51.22 will appear on all ground instructor certificates and the period here referred to will be designated in that state-ment. The holder of a ground instructor certificate will, under ordinary circumstances, be required to secure an endorsement every 2 years. Hereafter in this Part this period be referred to as the "endorsement period"

See footnote 1. Under § 51.22 a periodic endorsement can only be secured within the last 45 days of each such period.

he shall make application therefor upon the application form prescribed and furnished by the Authority and shall have served in a capacity of ground instructor in such subject for at least 6 months of such endorsement period.

§ 51.24 Special issuance. Within the two year period immediately following the expiration of a ground instructor certificate, the holder thereof may secure a new certificate, upon application therefor, without taking the written examination required under § 51.1 (d), if, for at least 6 months of such period, the applicant has served in the capacity of a ground instructor in the subject or subjects for which he desires a rating.

§ 51.25 Non-transferability. A ground instructor certificate is not transferable.

§ 51.26 Surrender. Upon the suspension, revocation or expiration of a ground instructor certificate, the holder thereof shall, upon request, surrender such certificate to any officer or employee of the Authority.

§ 51.27 Re-examination. An applicant for a ground instructor certificate. who has failed to accomplish successfully any prescribed examination or test for such certificate, may apply for re-examination therefor after the expiration of 90 days from the date of such failure.

§ 51.3 Ground Instructor Rating Record. An appropriate Ground Instructor Rating Record, prescribed and issued by the Authority, shall be attached to each ground instructor certificate issued after May 1, 1940. The ground school subject or subjects for which the holder of such certificate is rated shall be entered on such record.

§ 51.30 Application to amend. When any change is desired in a Ground Instructor Rating Record referred to in § 51.3, the applicant shall file a written request therefor upon the applicable form prescribed and furnished by the Authority.

§ 51.4 Examinations and tests.

§ 51.40 General. The examinations and tests prescribed in this Part will be conducted by an authorized representative for the Authority.

§ 51.41 Time and place. All examinations and tests will be held at such times and places as the Authority may designate.

§ 51.42 Inspection. An applicant for a ground instructor rating shall offer full cooperation with respect to any inspection and examination which may be made of such applicant upon proper request by any authorized representative of the Authority prior or subsequent to the issuance of a ground instructor certificate.

§ 51.43 Standard of performance. All practical and theoretical examinations and tests shall be accomplished to the satisfaction of the Authority and the passing grade in each subject shall be 70 percent.

By the Authority.

PAUL J. FRIZZELL, [SEAL] Secretary.

[F. R. Doc. 40-670; Filed, February 14, 1940; 11:43 a.m.]

[Amendment 36, Civil Air Regulations]

CREATING A NEW METHOD FOR CERTIFICA-TION OF REPAIR STATIONS

At a session of the Civil Aeronautics Authority held at its office in Washington, D. C., on the 7th day of November

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, particularly sections 205 (a), 601 (a) and 607 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of and to exercise and perform its powers and duties under said Act, the Civil Aeronautics Authority hereby amends the Civil Air Regulations as follows:

Effective May 1, 1940, Part 52, as amended, of the Civil Air Regulations is stricken and the following new Part 52 is inserted in lieu thereof:

PART 52-REPAIR STATION RATING

Sec.

52.1

Repair station ratings. Repair station certificate requirements.

Personnel.

52.21 Housing.

Inspection system.

52.23 Stock

52.24 Drawings

Other requirements

Repair station certificate.
Application.

52.30

Application to amend.

52 32 Display.

Duration.

52.34 Non-transferability.

52.35 Surrender

Inspection General rules.

52.40 Repair Station Rating Record.

Maintenance of personnel, facilities, equipment, and material.

52.42 Records.

§ 52.1 Repair station ratings. Repair station ratings are as follows:

- (1) Aircraft welded steel tube structure:
- (2) Aircraft wooden structure (not including box and laminated spars, wood covered fuselages or wings and control surfaces);
 - (3) Aircraft fabric covering;
- (4) Aircraft wood covered fuselages, wings and control surfaces, and box and laminated spars;
 - (5) Aircraft steel fittings;
- (6) Aircraft aluminum alloy structure (not including fittings);
 - (7) Aircraft aluminum alloy fittings;
 - (8) Aircraft assembly:
- (9) Aircraft aluminum alloy propeller blades and steel hubs;
 - (10) Aircraft wooden propellers;
 - (11) Aircraft engines:
 - (12) Aircraft instruments.

§ 52.2 Repair station certificate requirements. To be eligible for a rating as a repair station and certification as such, an applicant shall comply with the following requirements:

§ 52.20 Personnel. Applicant shall have adequate personnel certificated as required by the Civil Air Regulations the type of work involved.

§ 52.21 Housing. Applicant shall have suitable housing facilities which are adequately heated, lighted and venti-

§ 52.22 Inspection system. Applicant shall have an adequate system of inspection.

§ 52.23 Stock. Applicant shall have a stock room which provides for the proper segregation of materials.

§ 52.24 Drawings. Applicant shall have adequate facilities and equipment for making drawings.

§ 52.25 Other requirements. Applicant shall have such equipment, facilities, material, and personnel as are necessary for the competent and efficient performance of the type of work for which a rating is sought.1

§ 52.3 Repair station certificate.

§ 52.30 Application. Application for a repair station certificate shall be made upon the applicable form prescribed and furnished by the Authority.

§ 52.31 Application to amend. When any change is desired in the Repair Station Rating Record of a certificated repair station, the applicant shall apply therefor upon the applicable form prescribed and furnished by the Authority.

§ 52.32 Display. A repair station certificate shall be displayed in a prominent place in the repair station.

§ 52.33 Duration. A repair station certificate shall be of 60 days' duration and, unless the holder thereof is otherwise notified by the Authority within such period, shall continue in effect indefinitely thereafter, unless suspended or revoked by the Authority.

§ 52.34 Non-transferability. A. pair station certificate is not transfer-

§ 52.35 Surrender. Upon the suspension, revocation or expiration of a repair station certificate, the holder thereof shall, upon request, surrender such certificate to any officer or employee of the Authority.

§ 52.36 Inspection. An applicant for a repair station certificate shall offer full cooperation with respect to any inspection or examination which may be made of such applicant, upon proper request by any authorized representative of the Authority, prior or subsequent to the issuance of such certificate.

§ 52.4 General rules. § 52.40 Repair Station Rating Record. An appropriate Repair Station Rating Record, prescribed and issued by the Authority, shall be attached to each repair station certificate issued after May 1, 1940. The type of repair, alteration, maintenance, and overhaul of aircraft, aircraft engines, propellers, or appli-

and qualified to perform or supervise | ances for which the holder of such certificate is rated shall be entered upon such record.

§ 52.41 Maintenance of personnel, jacilities, equipment, and material. The holder of a currently effective repair station certificate shall maintain personnel. facilities, equipment, and material in conformity with the standard required for the issuance of such a certificate.

§ 52.42 Records. A certificated repair station shall maintain adequate records of all work performed, including records which indicate the person by whom the work was done and the person by whom it was inspected." Such records shall be kept for at least two

By the Authority.

[SEAL]

PAUL J. FRIZZELL. Secretary.

[F. R. Doc. 40-671; Filed, February 14, 1940; 11:43 a. m.]

[Amendment 37, Civil Air Regulations]

ELIMINATING SOLO AND LIMITED-COMMER-CIAL PILOT CERTIFICATES AND CREATING A NEW METHOD FOR CERTIFICATION OF

At a session of the Civil Aeronautics Authority held at its office in Washington D. C., on the 7th day of November

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938. particularly sections 205 (a), 601 (a) and 602 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of and to exercise and perform its powers and duties under said Act, the Civil Aeronautics Authority hereby amends the Civil Air Regulations as follows:

Effective May 1, 1940, Part 20, as amended, of the Civil Air Regulations is hereby stricken and the following new Part 20 is inserted in lieu thereof:

PART 20-PILOT CERTIFICATES

Sec. 20.0 Classification of pilot certificates. 20.00

Special pilot ratings.
Pilot certificate requirements. 20.1 20.10 Student pilot certificate.

20.11

(Unassigned).
Private pilot certificate. 20.12

(Unassigned)

Commercial pilot certificate. Student glider pilot certificate. 20.14 20.15

Private glider pilot certificate. Commercial glider pilot certificate. Special rating requirements. 20.17 20.2

Instructor rating

20.21 Instrument rating. 20.3 Pilot certificate.

Existing pilot certificates. 20.30 20.31

Application. Display. 20.32

20.33 Periodic endorsement requirements. Special issuance of certificate. 20.34

Non-transferability. 20.36

¹ A manual will be issued outlining the equipment, facilities, material and personnel which are necessary to comply with this section.

² See section 52.40 for Repair Station Rating Record requirement.

This is the inspection provided for in section 52.22 which is to be conducted by personnel of the repair station.

Operation during physical deficiency. 20.37 Surrender. 20.38 Re-examination. 20.39 Special rating. Provision for issuance. 20.40 Application. (Unassigned) Periodic endorsement requirements with respect to special ratings. Special issuance of special ratings. 20.43 20.44 (Unassigned). 20.45 Re-examination. Examinations and tests. 20.50 General. Time and place. Physical examinations. 20.52 Aircraft used in tests.
Aircraft type classification.
Aircraft weight and engine classifica-20.53 20.55 tion. Flight area limitations. 20.56 Inspection. Standard of performance. Pilot regulations. Airman Rating Record Requirements. 20.61 Flight limitations. (Unassigned) (Unassigned) 20.62 Night flying. Instruction. 20.64

Qualified foreign pilots. § 20.0 Classification of pilot certifi-(a) Aircraft pilot certificates, other than gliders, are classified in the following ascending grades: 1

(1) Student pilot certificate.

(Unassigned). Log-books. Foreign flights.

20.65

20.67

20.68

- (2) Private pilot certificate.
- (3) Commercial pilot certificate.
- (4) Airline transport pilot certificate (provided for in all respects in Part 21).
- (b) Glider pilot certificates are classified in the following ascending grades:
 - (1) Student glider pilot certificate. (2) Private glider pilot certificate.
 - (3) Commercial glider pilot certificate.

§ 20.00 Special pilot rating. Special

- pilot ratings are as follows:
 - (a) Instructor rating.
 - (b) Instrument rating.

§ 20.1 Pilot certificate requirements.

§ 20.10 Student pilot certificate. To be eligible for a student pilot certificate, an applicant shall comply with the following requirements.

§ 20.100 Age. Applicant shall be at least 16 years of age. If applicant be less than 21 years of age at the time of making application, he shall submit with his application the written consent of either parent, or legal or natural guardian, to the issuance of the pilot certificate sought.

§ 20.101 Character. Applicant shall be of good moral character.

§ 20.102. Citizenship. Applicant may be of any nationality.

is unable to read, speak, and understand the English language, appropriate operation limitations may be entered upon his student pilot certificate.

§ 20.104 Physical condition. Applicant shall comply with the following requirements as to physical condition, demonstrated by examinations conducted in accordance with § 20.52:

(a) Eye. Applicant shall have:

(1) A visual acuity of at least 20/50 in each eye separately, without correction: Provided, That, if the vision in either or both eyes is poorer than 20/50 and is brought up to 20/30 or better in each such eye by glasses, the applicant may be qualified on condition that such glasses be worn while piloting aircraft.

(2) An average of 30 millimeters or less on the depth perception apparatus, with or without glasses: Provided, That if the depth perception is greater than 30 millimeters without correction and can be corrected to at least 30 millimeters by glasses, the applicant may be qualified upon condition that such glasses be worn while piloting aircraft:

(3) No diplopia unless corrected by glasses in which case such glasses shall be worn while piloting aircraft; and

(4) No serious pathology of the eye.

- (b) Ear, nose, throat and equilibrium. Applicant shall be able to hear the whispered voice at three feet; shall have no acute or chronic disease of the internal ear, no disease or malformation of the nose or throat which may interfere with or be aggravated by flying, and no disturbance in equilibrium.
- (c) General physical condition. Applicant shall have no organic or functional disease or structural defect or limitation which would interfere with the safe piloting of aircraft.
- (d) Nervous system. Applicant shall have no disease of the mental or nervous system and no abnormality of the personality.

§ 20.105 Aeronautical knowledge. No requirement is prescribed but, prior to his first solo flight, applicant shall demonstrate thorough familiarity with the provisions of Part 60 dealing with contact flight by satisfactorily accomplishing a written examination on such provisions, and such fact shall be certified to by his instructor.

§ 20.106 Aeronautical experience. No requirement.

§ 20.107 Aeronautical skill. No requirement is prescribed but, prior to his first solo flight, applicant shall have had 8 hours dual flight instruction, including recovery from spins and stalls and shall have been deemed, in the opinion of his instructor, competent to make such flight and such competency shall be certified to by his instructor on the student pilot certificate in the space provided therefor. Dual flight instruction in recovery from spins shall not be required when an applicant has received all of his dual flight miles of his instructor's operating base,

§ 20.103 Education. If an applicant | instruction in aircraft fully determined to be characteristically incapable of spinning. Until he has received dual instruction in spins any such applicant shall be limited to the operation of aircraft possessing that characteristic and the instructor shall make a notation to that effect on the pilot certificate of the applicant. When the applicant has received dual instruction in spins the instructor shall make a notation to that effect on the certificate. Prior to his first cross-country 2 solo flight, applicant shall have logged 8 hours solo flight time and his instructor shall have certified on the student pilot certificate, in the space provided therefor, that he deems the student competent to make such flight. The dates of such solo flights and the type, weight and engine classification of the aircraft so flown shall also be certified to by the instructor in the same manner.

§ 20.11 (Unassigned),

§ 20.12 Private pilot certificate. To be eligible for a private pilot certificate an applicant shall comply with the following requirements.

§ 20.120 Age. Same as in § 20.100, except that applicant shall be at least 18 years of age.

§ 20.121 Character. Same as in § 20.101.

§ 20.122 Citizenship. Same as in § 20.102.

§ 20.123 Education. Applicant shall be able to read, speak, and understand the English language. A citizen of Puerto Rico may not be compelled to meet these requirements but in any such case appropriate operation limitations may be entered upon his Airman Rating Record.

§ 20.124 Physical condition. Same as in § 20.104, except that a certificate may be issued to an applicant who does not meet these physical requirements if, in the opinion of the Authority, his flying experience gained prior to his disability offsets such physical deficiency. Such applicant may be limited to the particular operations specified in his Airman Rating Record.

§ 20.125 Aeronautical knowledge. Applicant shall be familiar with and accomplish satisfactorily a written examination covering so much of the provisions of Parts 01, 20 and 60 as are pertinent to his certificate, prevailing weather conditions in the United States as encountered in flying, and the forecasting thereof, the analyzing of weather maps and sequence reports as furnished by the United States Weather Bureau, practical air navigation problems and the use of maps, and navigation by terrain (pilotage) and by dead reckoning, including the use of instruments and

¹On May 1, 1940, the effective date of these regulations, the Authority will discontinue the issuance of solo and limited-commercial the issuance of solo and limited-commercial pilot certificates, except under the special circumstances prescribed in § 20.35. Solo and limited-commercial pilot certificates in effect on that date will not be endorsed to remain in effect, in the case of the solo pilot certificate, beyond May 1, 1941, and, in the case of the limited-commercial pilot certificate, beyond May 1, 1942. (See § 20.33.)

After a minimum of 8 hours' dual instruction and certification by his instructor, a student pilot may fly solo in the vicinity of his instructor's operating base. After he has had 8 hours' solo and has secured the proper certification by his instructor, he may fly cross-country but must remain within 50

other aids to navigation in visual-contact flying.

§ 20.126 Aeronautical experience. Applicant shall have logged at least 35 hours of solo flight time, of which at least 5 hours shall have been logged within the 60 days immediately preceding the date of filing the application. As part of the foregoing, applicant shall have logged at least 5 hours of crosscountry flying of which at least 3 hours shall be solo, which shall include at least one flight over a course of not less than 50 miles with at least 2 full stop landings at different points on such course. Such experience shall be certified to by some person, other than the applicant, having direct knowledge thereof: Provided. That a graduate of the private pilot course of a certificated flying school will be deemed to have met the requirements of this section upon presentation of his certificate of graduation within 30 days thereof."

§ 20.127 Aeronautical skill. Applicant shall satisfactorily demonstrate his ability to pilot aircraft in solo flight and, in addition to normal take-offs, turns and landings, to perform satisfactorily the following maneuvers:

(a) From an altitude not to exceed 1,000 feet, with engine throttled, a 180° turn and a landing in normal landing attitude, the wheels touching the ground beyond and within 300 feet of a line or point designated by the examining inspector of the Authority.

(b) From an altitude not to exceed 1,500 feet, with engine throttled, a 360° turn and a landing in normal landing attitude, the wheels touching the ground beyond and within 300 feet of a line or point designated by the examining in-

spector of the Authority.

(c) A spiral in one direction from 2,000 feet, with engine throttled, and a landing in normal landing attitude, the wheels touching the ground beyond and within 300 feet of a line or point designated by the examining inspector of the Authority.

- (d) A series of 3 shallow and 3 steep figure 8 turns, and one 720° steep power turn in each direction. During these maneuvers, the pilot shall not gain or lose more than 200 feet of altitude.
- (e) A right hand and a left hand spin, each of at least one full turn.
- (f) Emergency maneuvers such as simulated forced landings, spirals, side slips and climbing turns, and recovery from stalls and such other maneuvers as the examining inspector of the Authority may deem necessary and appropriate to demonstrate the competency of the applicant for the certificate or rating sought.
- (g) Under ordinary circumstances, none of the maneuvers provided for in § 20.127 shall be disregarded, but any

such maneuver may be modified or eliminated by the examining inspector of the Authority if such action is appropriate to the special characteristics of the aircraft used in the test. In any such case the applicant shall be limited to the particular makes and models, or general types, of aircraft specified in his Airman Rating Record.

§ 20.128 (Unassigned).

§ 20.129 Military competence. An applicant who is or, was within the 60 days preceding application, a member of the regular Army, Navy, Marine Corps, or Coast Guard, or a reserve member of any such service on active duty for a period of at least one year, will be deemed to have met the requirements of § 20.125 through § 20.127 if he submits to an inspector of the Authority a certificate from the appropriate officer in charge of flying in his service, stating that the applicant is or, was within the 60 days preceding application, on flying status as an airplane pilot and competent to pilot airplanes of a stated type. weight, and engine classification. Said applicant will be deemed to have met the requirements of § 20.124 if he submits to an inspector of the Authority (1) a certificate from a flight medical officer of his service stating that the applicant meets or, at the time of his separation from the service, met the physical standards prescribed by his service for flying status as an airplane pilot; and (2) a certified copy of the current medical examination of the applicant for flying in his service: Provided, That such certified copy may be submitted at any time within four months after application and the pilot certificate applied for may be issued prior to its receipt.

§ 20.13 (Unassigned).

§ 20.14 Commercial pilot certificate. To be eligible for a commercial pilot certificate, an applicant shall comply with the following requirements:

§ 20.140 Age. Same as in § 20.120. § 20.141 Character. Same as in § 20.101.

§ 20.142 Citizenship. Applicant shall be:

(a) A citizen of the United States, or
(b) A citizen of a foreign country which grants reciprocal commercial pilot privileges to citizens of the United States on equal terms and conditions with citi-

zens of such foreign country, or

(c) An alien who has filed his declaration of intention to become a citizen of the United States and notifies the Authority of the serial number of such declaration and of the date thereof and of the court in which it is filed: Provided, That the certificate is, in such case, subject to revocation if the holder does not from time to time keep the Authority advised of the status of the proceedings in court and does not diligently and successfully prosecute them and become admitted as a citizen.

§ 20.143 Education. Applicant shall be able to read, speak, write and understand the English language.

§ 20.144 Physical condition. Applicant shall comply with the following requirements as to physical condition demonstrated by examinations conducted in accordance with § 20.52: Provided, That a certificate may be issued to an applicant who does not meet these physical requirements if, in the opinion of the Authority, his flying experience gained prior to his disability offsets such physical deficiency:

(a) Eye. Applicant shall have:

- (1) A visual acuity of at least 20/20 in each eye separately without correction: Provided, That if the vision in either or both eyes is not poorer than 20/50 and is brought up to 20/20 or better in each such eye by glasses, the applicant may be qualified upon condition that correcting glasses be worn while piloting aircraft;
- (2) An average depth perception of 30 millimeters or less with or without glasses: *Provided*, That if the depth perception is greater than 30 millimeters without correction, and can be corrected to at least 30 millimeters by glasses, the applicant may be qualified upon condition that correcting glasses be worn while piloting aircraft;

(3) No diplopia;

- (4) Not more than 1 diopter of hyperphoria;
- (5) Properly balanced eye muscles with an abduction of 3 diopters or more;
- (6) Sufficient accommodation to pass a test prescribed by the Authority based primarily upon ability to read official aeronautical maps;
 - (7) Normal fields of vision; and
 - (8) No pathology of the eye.
- (b) Ear, nose, throat and equilibrium. Applicant shall be able to hear the whispered voice at 8 feet with each ear separately; shall have no acute or chronic disease of the middle or internal ear; no disease of the mastoid; no unhealed perforations of the ear drum; no disease or malformation of the nose or throat which may interfere with or be aggravated by flying; and no disturbance of equilibrium.
- (c) General physical condition. Same as in § 20.104 (c).
- (d) Nervous system. Same as in § 20.104 (d),
- § 20.145 Aeronautical knowledge. Same as in § 20.125 except that the examinations will be more searching and in greater detail. In addition, applicant shall satisfactorily accomplish a written examination on the theory and the practice of flight and the maintenance of aircraft, and on the maintenance and proper use of aircraft power units in common use.
- § 20.146 Aeronautical experience. Applicant shall have logged at least 200 hours of solo flight time, of which at least 5 hours shall have been logged within the 60 days immediately preceding the date of filing the application. As part of the foregoing, applicant shall

The approved private pilot flight course is specified in the pertinent provision of Part 50.

At his discretion, the examining inspec-

At his discretion, the examining inspector may ride with the applicant during these maneuvers or may permit a certificated instructor to do so.

have logged at least 10 hours of solo of either parent, or legal or natural guar- glider pilot certificate, an applicant shall cross-country flying, which shall include at least one flight over a course of not less than 100 miles with at least three full stop landings at different points on such course. Such experience shall be certified to by some person, other than the applicant, having direct knowledge of the same: Provided, That a graduate of a commercial pilot course of a certificated flying school shall be deemed to have met the requirements of this section upon presentation of his certificate of graduation within 30 days thereof."

§ 20.147 Aeronautical skill. Same as in § 20.127 except as follows:

(a) In the maneuvers required by § 20.127 (a), (b) and (c), the wheels shall touch the ground within 200 feet beyond the line or point designated.

(b) In the maneuvers required by § 20.127 (d), the pilot shall not gain or

lose more than 100 feet. (c) In the spins required by § 20.127 (e), the applicant shall perform a twoturn spin in each direction with an error of not more than plus or minus 10 degrees.

§ 20.148 (Unassigned.)

§ 20.149 Military competence. An applicant who, within 60 days preceding application, has been an active member of the regular Army, Navy, Marine Corps, or Coast Guard, or a reserve member of any such service on active duty for a period of not less than one year, will be deemed to have met the requirements of § 20.145 through § 20.147 if he submits to an inspector of the Authority a certificate from the appropriate officer in charge of flying in his service that he was on a flying status as an airplane pilot at the time of his separation from the service and was at that time competent to pilot airplanes of a stated type, weight and engine classification. Said applicant will be deemed to have met the requirements of § 20.144 if he submits to an inspector of the Authority (1) a certificate from a flight medical officer of his service stating that at the time of his separation from the service the applicant met the physical standards prescribed by his service for flying status as an airplane pilot, and (2) a certified copy of the current medical examination of the applicant for flying in his service: Provided, That such certified copy may be submitted at any time within four months after application and the pilot certificate applied for may be issued, prior to its receipt.

§ 20.15 Student glider pilot certificate. To be eligible for a student glider pilot certificate, an applicant shall comply with the following requirements:

§ 20.150 Age. Applicant shall be at least 14 years of age. If applicant be less than 21 years of age at the time of making application, he shall submit with his application the written consent

certificate sought.

§ 20.151 Character. Applicant shall be of good moral character.

§ 20.152 Citizenship. Applicant may be of any nationality.

§ 20.153 Education. If an applicant is unable to read, speak, and understand the English language, appropriate operation limitations may be entered upon his Airman Rating Record.

§ 20.154 Physical condition. Applicant shall have no physical defect which renders him incompetent to pilot a glider and shall so certify to the best of his knowledge and belief.

§ 20.155 Aeronautical knowledge. No requirements.

§ 20.156 Aeronautical experience. No requirements

§ 20.157 Aeronautical skill. No requirements.

§ 20.16 Private glider pilot certificate. To be eligible for a private glider pilot certificate, an applicant shall comply with the following requirements:

§ 20.160 Age. Same as in § 20.150. § 20.161 Character. Same as in § 20.151.

§ 20.162 Citizenship. Same as in § 20.152.

§ 20.163 Education. Applicant shall be able to read, speak, and understand the English language. A citizen of Puerto Rico may not be compelled to meet these requirements, but in any such case appropriate operation limitations may be entered upon his Airman Rating Record.

§ 20.164 Physical condition. Same as in § 20.154.

§ 20.165 Aeronautical knowledge. Applicant shall be familiar with and accomplish satisfactorily a written examination on the provisions of Part 60 dealing with contact flight.

§ 20.166 Aeronautical experience. Applicant shall have completed at least 100 gliding flights, 25 of which shall have each included a 360° turn, and at least 5 of such 25 flights shall have been made within the 60 days preceding the date of filing the application. Any person who is the holder of at least a currently effective private pilot certificate and who shall have completed not less than 25 gliding flights or logged not less than 5 hours of gliding or soaring solo flight time, shall be deemed to have met the requirements of this section.

§ 20.167 Aeronautical skill. Applicant shall demonstrate his ability to pilot a glider by satisfactorily making at least the following: one flight with a 180° turn and a downwind landing, one flight with a 360° turn to the right and a landing to within 200 feet of a designated mark and one flight with a 360° turn to the left and a similar landing.

§ 20.17 Commercial glider pilot cer-

dian, to the issuance of the glider pilot comply with the following requirements:

§ 20.170 Age. Same as § 20.150, except that applicant shall be at least 18 years of age.

§ 20.171 Character. Same as in § 20.151.

§ 20.172 Citizenship. Same as in § 20.142.

§ 20.173 Education. Same as in \$ 20.143.

§ 20.174 Physical condition. Same as in § 20.154.

§ 20.175 Aeronautical knowledge. Applicant shall be familiar with and accomplish satisfactorily a written examination on so much of the provisions of Parts 01, 20 and 60, as are pertinent to his certificate.

§ 20.176 Aeronautical experience. Applicant shall have completed at least 250 gliding flights or 200 gliding flights and 5 hours of soaring. At least 100 of such gliding flights shall each have included a 360° turn, and at least 5 of such 100 flights shall have been made within the 60 days preceding the date of filing the application. Applicant shall also have had at least 1 hour of instruction in recovery from stalls and spins in a Class 1 airplane by a certificated instructor, evidenced by the signed entry of such instructor in the log-book of the applicant.

§ 20.177 Aeronautical skill. Applicant shall demonstrate his ability to pilot a glider by satisfactorily making at least the following: one flight with a 180° turn and a downwind landing, one flight with a 360° turn to the right and a landing to a point not more than 100 feet beyond a designated line, one flight with a 360° turn to the left and a similar landing and 2 flights including right and left turns in each flight.

§ 20.2 Special rating requirements. To be eligible for a special pilot rating, an applicant shall comply with the following requirements prescribed for the particular rating sought:

§ 20.20 Instructor rating. To be eligible for an instructor rating, an applicant shall comply with the following requirements:

§ 20.200 Age. Same as in § 20.120. \$ 20.201 Aeronautical knowledge. Applicant shall have practical and theoretical knowledge of flight instruction and shall accomplish a satisfactory written and practical examination thereon.

§ 20,202 Aeronautical experience. Applicant shall be possessed of a valid commercial or private pilot certificate: Provided. That, in the latter case, he meets the requirements of § 20.146.

§ 20.203 Aeronautical skill. Applicant shall satisfactorily accomplish a practical flight test as to his ability to perform with precision and teach properly such fundamental flight maneuvers as are, in the opinion of the Authority, tificate. To be eligible for a commercial deemed necessary and appropriate for

⁵The approved commercial pilot flight course is specified in the pertinent provision of Part 50.

No. 32-2

piloting of aircraft.

§ 20.21 Instrument rating. To be eligible for an instrument rating, an applicant shall comply with the following requirements:

§ 20.210 Aeronautical knowledge. Applicant shall be familiar with the use of such instruments and other navigational aids, both in aircraft and on the ground, as are deemed by the Authority to be necessary for the navigation of aircraft by instruments, and with meterology as applied to weather analysis and forecasting, and the applicant shall satisfactorily accomplish a written examination thereon.

§ 20.211 Aeronautical experience. Applicant shall have logged at least 200 hours of solo flight time as prescribed in § 20.146, including at least 20 hours of instrument flying instruction and practice, and shall be possessed of a valid private, limited-commercial or commercial pilot certificate. In lieu of not to exceed 10 hours of the foregoing 20hour requirement applicant may show an equal or greater amount of instruction and practice under simulated conditions approved by the Authority.

§ 20.212 Aeronautical skill. Applicant shall satisfactorily accomplish, solely by instruments, a flight test with respect to the following:

(a) Straight level flight for a given period of time.

(b) Moderately banked 180° and 360° turns in both directions.

(c) Minimum glides and maximum climbs, and approaches to stalled attitudes of flight.

(d) Climbing turns.

(e) Stalls, skids, slips and spirals, and banks in excess of 45°, and recovery from the same.

(f) Such other maneuvers as the examining inspector of the Authority deems necessary.

(g) A practical demonstration, while in flight or under simulated conditions, of estimating arrival time, taking into account speed, wind and drift.

§ 20.213 Radio skill. Applicant shall satisfactorily accomplish, solely by instruments, a flight test with respect to the following:

- (a) Tuning radio.
- (b) Orientation.
- (c) Following radio range.
- (d) Locating cone of silence.

(e) Letting-down-through on the range by the approved instrument approach procedure for the particular airport used in connection with the test.

(f) Such other maneuvers as the examing inspector of the Authority deems necessary.

until the expiration, suspension, or revocation of such certificate.

§ 20.300 Aircraft rating. The aircraft which the applicant is deemed competent to pilot and the type of aircraft in which he is deemed competent to instruct will be prescribed on his Airman Rating Record. In the case of conventional aircraft. such description shall be by type, weight and engine classification and, in the case of unconventional aircraft, shall be by such method as is appropriate to define clearly the competence of the applicant. (See §§ 20.54 and 20.55.)

§ 20.301 Flight area rating. When limited, the geographical area in which the applicant is deemed competent to pilot the aircraft will be entered upon his Airman Rating Record. (See § 20.56.)

§ 20.302 Special rating. When issued to an applicant, as provided for in §§ 20.2 and 20.4, any special rating will be entered upon his Airman Rating Record.

§ 20.31 Application. Application for a pilot certificate shall be made upon the applicable form prescribed and furnished by the Authority.

§ 20.310 Application to amend. When any change in an Airman Rating Record is desired, the applicant shall file a written request therefor with the Authority upon a form prescribed and furnished by the Authority.

§ 20.32 Display. A pilot certificate shall be kept in the personal possession of the pilot at all times when piloting aircraft, and shall be presented for inspection upon request of any passenger, of any authorized officer or employee of the Authority and of any State or municipal official charged with the duty of enforcing local laws or regulations involving Federal compliance.

§ 20.33 Duration. A pilot certificate shall be of 60 days' duration and, unless the holder thereof is otherwise notified by the Authority within such period, shall continue in effect indefinitely thereafter, unless suspended or revoked by the Authority, except that it shall immediately expire (1) at the end of each designated period 7 after the date of issuance thereof if the holder of such certificate fails to secure an endorsement

"Under § 20.60 no certificated pilot, except a student pilot, may pilot aircraft unless an Airman Rating Record is attached to his Airman Rating Record is attached to his certificate. The Airman Rating Record is a sheet which will be attached to all pilot certificates, except student certificates, when they are issued and will contain such items as weight and engine classification ratings. special ratings, and flight area limitations.

⁷A statement of duration in substantially the form of § 20.33 will appear on all pilot certificates. The above reference to a "designated period" means the period which will be designated period whech will be designated. be designated on each pilot certificate. example, the holder of a student or a private certificate will, under ordinary circum-§ 20.3 Pilot certificate.
§ 20.30 Existing pilot certificates.
Every person holding a pilot certificate in effect on May 1, 1940, may operate air
gertificate will, under ordinary circumstances, be required to secure an endorsement each year while a limited-commercial or a commercial pilot will be required to secure an endorsement every six months. Hereafter in this Part this period will be referred to as the "endorsement period."

safe and sound instruction in the safe | craft without an Airman Rating Record o | by an authorized inspector or, in case of a student pilot certificate, a medical examiner of the Authority within the last 45 days of each such period, or (2) at any time an authorized inspector of the Authority, or, in case of a student pilot certificate, an authorized inspector or medical examiner of the Authority. shall refuse to endorse such certificate after inspection or examination: Provided. That no solo or limited-commercial pilot certificate shall be endorsed to remain effective beyond May 1, 1941, in the case of solo certificates, or May 1. 1942, in the case of limited-commercial certificates.

§ 20.34 Periodic endorsement requirements. No pilot certificate shall receive a periodic endorsement "unless the holder thereof shall make application for endorsement upon the applicable form prescribed and furnished by the Authority and shall have logged the hours of certified solo flight time and satisfactorily accomplished the physical examination, hereinafter required with respect to the following classes of pilot certifi-

(a) Student pilot. (1) No solo flight time required.

(2) A physical examination identical with that required for the issuance of the student pilot certificate, within the 9 months immediately preceding the expiration of the endorsement period.

(b) Solo pilot. (1) 15 hours of solo flight time within the endorsement period in aircraft of each type, weight and engine classification for which endorsement is sought.

(2) A physical examination identical with that required for the issuance of a solo pilot certificate, within the 9 months preceding the expiration of the endorsement period.

(c) Private pilot. (1) 15 hours of solo flight time within the endorsement period in aircraft of each type ' for which endorsement is sought, and if endorsement is sought for more than one aircraft weight and engine classification, 5 hours of solo flight time shall have been logged in aircraft of each such weight and engine classification.

(2) A private pilot who does not meet the 15 hours of solo flight time requirement, in lieu thereof, within the 60 days immediately preceding the expiration of the endorsement period, may log a period of 5 hours flight time, including at least two hours of dual flight instruction or check from a certificated instructor, in an aircraft of each weight and engine classification for which endorsement is sought: Provided, That the certificated instructor certifies on the application for endorsement that such private pilot satisfactorily practiced and performed with

^{*}See footnote to \$20.33. Under \$20.33 a periodic endorsement can only be secured within the last 45 days of each endorsement period.

*See \$20.54 for aircraft type classifications.

quired in the flight test for the original edge and belief. issuance of a private pilot certificate, giving the dates of such flights, and the type, weight and engine classification and identification mark of the aircraft in which each such flight was acquired.

(3) A physical examination identical with that required for the issuance of the private pilot certificate, within the 14 months immediately preceding the expiration of the endorsement period.

(4) An active member of the regular Army, Navy, Marine Corps or Coast Guard, or a reserve member of any such service on extended active duty with such service, who has satisfactorily met the same conditions specified for the issuance of a private pilot certificate to any such person, shall be deemed to have met the requirements set forth in this subsection (c).

(d) Limited-commercial pilot. (1) 10 hours of solo flight time within the endorsement period in aircraft of each type, weight and engine classification, for which the endorsement is sought.

(2) A physical examination identical with that required for the issuance of a commercial pilot certificate, within the 60 days immediately preceding the expiration of the endorsement period.

(e) Commercial pilot. (1) 10 hours of solo flight time within the endorsement period in aircraft of each type, weight and engine classification, for which the endorsement is sought: Provided, That a commercial pilot employed as a second pilot in scheduled air carrier operation, may be deemed to have met this requirement if he shall have logged 20 hours of solo flight time as a second pilot in such operation within the endorsement period, but after endorsement the certificate shall be valid only for scheduled air carrier operation as a second pilot.

(2) A physical examination identical with that required for the issuance of the commercial pilot certificate, within the 60 days immediately preceding the expiration of the endorsement period,

(f) Airline transport pilot. (See Part 21.)

(g) Student glider pilot. (1) No solo flight time required.

(2) A student glider pilot shall have no physical defect which renders him incompetent to pilot a glider and shall so certify to the best of his knowledge and belief.

(h) Private glider pilot. (1) 10 gliding flights, or one soaring flight of one hour. within the endorsement period.

(2) A private glider pilot shall have no physical defect which renders him incompetent to pilot a glider and shall so certify to the best of his knowledge and

(i) Commercial glider pilot. (1) 10 gliding flights, or one soaring flight of one hour, within the endorsement period.

(2) A commercial glider pilot shall have no physical defect which renders him incompetent to pilot a glider and 1941.

§ 20.35 Special issuance of certificate. If any pilot certificate expires, a new certificate will be issued on application therefor, if the applicant secures the flight time and physical examination required for periodic endorsement (§ 20.34) and satisfactorily accomplishes the flight test and the written examination on the Civil Air Regulations prescribed for the particular class of certificate and rating sought: Provided, That no solo or limited-commercial pilot certificate shall be issued under this section to remain in effect beyond May 1, 1941 in the case of a solo certificate, or May 1, 1942 in the case of a limitedcommercial certificate. The examination on the Civil Air Regulations may not be required if application is made within the year immediately following the expiration of the endorsement period, and a flight test may not be required if the application is made within 90 days immediately following the expiration of the endorsement period. In applying this section, the time within which physical examinations and flight time must be secured in order to comply with the periodic endorsement requirements shall be computed from the date of application for special issuance, rather than the date of the expiration of the endorsement period as is provided in § 20.34.10

§ 20.36 Non-transferability. A pilot certificate is not transferable.

physical § 20.37 Operation during deficiency. A certificated pilot shall not operate any aircraft during the period of any known physical deficiency or increase in physical deficiency, which would render him during that period unable to meet the physical requirements specified in the Civil Air Regulations for the classification of pilot certificate held.

§ 20.38 Surrender. Upon the suspension, revocation, or expiration of a pilot certificate, the holder of such certificate shall, upon request, surrender such certificate to any officer or employee of the Authority.

§ 20.39 Re-examination. The following rules will govern application for re-examination for pilot certificates:

(a) An applicant for a private or commercial pilot certificate who has failed

such instructor all the maneuvers re- shall so certify to the best of his knowl- to accomplish successfully any prescribed theoretical examination may apply for re-examination at any time after the expiration of 30 days from the date of such failure.

(b) An applicant for a private or commercial pilot certificate who has failed to accomplish successfully any prescribed practical examination or test may apply for re-examination only after he has logged at least 6 additional hours of flight time, including at least 3 hours of dual instruction time with a certificated instructor and his instructor shall have certified in the applicant's log book that he deems such applicant qualified for the certificate sought. Upon meeting the requirements set forth in this subsection (b), an applicant for re-examination shall be deemed to have met the 5 hours solo flight time requirement set forth in § 20.126 and § 20.146.

(c) An applicant for a private glider or commercial glider pilot certificate who has failed to accomplish successfully any prescribed theoretical examination may apply for re-examination at any time after the expiration of 30 days from the date of such failure.

(d) An applicant for a private glider or commercial glider pilot certificate who has failed to accomplish successfully any prescribed practical examination or test may apply for re-examination only after he has made at least 20 additional gliding

§ 20.4 Special rating.

§ 20.40 Provision for issuance. Upon application made on the appropriate form prescribed and furnished by the Authority, a special rating will be entered on the Airman Rating Record of a pilot who, after inspection and examination, is found by the Authority to meet the requirements prescribed for such rating in § 20.2.

§ 20.41 Application. Same as in § 20.31 applied to a special rating.

§ 20.42 (Unassigned.)

§ 20.43 Periodic endorsement requirements with respect to special ratings. A pilot certificate shall not receive a periodic endorsement with respect to any special rating unless the holder thereof shall have logged the hours of certified flight time hereinafter required with respect to the following classes of special ratings.

(a) Instructor rating. Service as an instructor for 10 hours within the 6 months immediately preceding the expiration of the endorsement period.

(b) Instrument rating. (1) If a private pilot, 10 hours of flying solely by instruments within the endorsement period, 5 hours of which shall have been within the 6 months immediately preceding the expiration of such period.

(2) If a limited-commercial or commercial pilot, 5 hours of flying solely by instruments within the 6 months immediately preceding the expiration of the endorsement period.

(3) In lieu of either of the above requirements applicant may show an equal

¹⁰ For example, the holder of a private pilot certificate which has a one year endorsement period designated thereon, falls to have his certificate endorsed prior to or on January 1, 1941, the date the endorsement period expires. Should he apply for special issuance of a certificate on February 1, 1941, he must have logged the 15 ary 1, 1941, he must have logged the 15 hours of flight time required in § 20.34 (c) during the one year period between February 1, 1940 and February 1, 1941 and not during the endorsement period, January 1, 1940 to January 1, 1941. Likewise, he must have accomplished the physical examination required in § 20.34 (c) within the 14 months prior to February 1, 1941 rather than the 14 months prior to January 1,

conditions approved by the Authority.

§ 20.44 Special issuance of special ratings. In the event a pilot satisfactorily shows to the Authority that an emergency prevented endorsement of his certificate with respect to any special rating within the 45 days immediately preceding the expiration of the endorsement period, a new rating or ratings will be issued if application is made therefor within 60 days immediately following the expiration of such endorsement period and the applicant complies with the requirements for periodic endorsement and satisfactorily accomplishes the flight tests prescribed for the particular special rating sought. Such flight tests may not be required if the application is made within 30 days immediately following the expiration of the endorsement period. In applying this section, the time within which the flight time must be secured in order to comply with the periodic endorsement requirements shall be computed from the date of application for special issuance, rather than the date of the expiration of the endorsement period as is provided in § 20.43.11

§ 20.45 (Unassigned.)

§ 20.46 Re-examination. An applicant for a special rating who has failed to accomplish successfully any prescribed test for such rating may apply for reexamination thereon after the expiration of 30 days from the date of such failure. § 20.5 Examinations and tests.

§ 20.50 General. The examinations and tests prescribed in the foregoing regulations (both for pilot certificates and for the ratings issued with respect thereto) will be conducted by an authorized officer or employee of the Authority or by a properly qualified person designated for the purpose by the Authority.

§ 20.51 Time and place. All examinations and tests will be held at such times and places as the Authority or its representative may designate.

§ 20.52 Physical examinations. The following rules will govern the physical examinations given in connection with the original issuance of any pilot certifi-

(a). The appropriate physical examination prescribed shall be accomplished before any practical or theoretical test or other examination will be given, and shall be completed within the 9 months preceding application for a private pilot certificate, or within the 4 months preceding application for a commercial pilot certificate.

(b) In lieu of a physical examination conducted by an authorized medical examiner of the Authority, a certified copy of the medical examination for flying in the United States Army, Navy, Marine Corps or Coast Guard, made within the 60 days preceding the date of filing application for a pilot certificate, or any periodic endorsement thereof, will be ac-

(c) A pilot holding a certificate of a lower grade and applying for a certificate of a higher shall pass satisfactorily a new physical examination for the grade applied for unless his prior physical examination was for the higher grade and was passed within the time limit prescribed in § 20.52 (a).

§ 20.53 Aircraft used in tests. The applicant shall furnish a certificated aircraft for any flight test involved. Each such aircraft, used in any test for a pilot certificate above the grade of student pilot, shall be equipped with dual controls and shall accommodate the applicant, the inspector, and parachutes for both. Aircraft having only one elevator and alleron control for two seats, or any arrangement whereby all flight and engine controls cannot be handled in a normal or conventional manner from either seat are not considered as having dual controls for the purpose of flight tests for pilot certificate or ratings. Each such aircraft shall have adequate vision for the pilot and check pilot.

§ 20.54 Aircraft type classification. For purposes of specifying the types of aircraft which the applicant is deemed competent to pilot and for convenience of examining the applicant with respect thereto, the following aircraft type classification is prescribed:

(a) Conventional airplane (land).

(b) Conventional airplane (water).

(c) Autogiro (land).

(d) Autogiro (water).

(e) Glider.

(f) Lighter-than-air aircraft.

§ 20.55 Aircraft weight and engine classification. For purposes of specifying the weight and powerplant equipment of aircraft which the applicant is deemed competent to pilot, and for convenience of examining the applicant with respect thereto, the following aircraft weight and engine classification is prescribed:

(a) Class 1.-Gross weight not more than 1,300 pounds.

(b) Class 2S.—Gross weight between 1,300 and 4,000 pounds, single-engine.

(c) Class 2M.—Gross weight between 1,300 and 4,000 pounds, multi-engine.

(d) Class 3S.—Gross weight between 4.000 and 10,000 pounds, single-engine.

(e) Class 3M .- Gross weight between 4.000 and 10,000 pounds, multi-engine.

(f) Class 4S.—Gross weight between 10,000 and 25,000 pounds, single-engine.

(g) Class 4M.—Gross weight between 10,000 and 25,000 pounds, multi-engine.

(h) Class 5.-Gross weight in excess of 25,000 pounds.

§ 20.56 Flight area limitations. (a) Prior to certification by his instructor

cross-country flights, a student pilot shall not operate an aircraft in solo flight outside of an area in the vicinity of the operating base of the instructor prescribed in writing by the airport manager and approved by the local inspector of the Authority. Unless the airport manager is otherwise notified by such inspector within 15 days from the date of the receipt of such designation the flight area prescribed by him shall be deemed to have been approved.

(b) After certification by his instructor that he has logged 8 hours of solo flight time and is deemed competent to make cross-country flights, a student pilot shall not operate an aircraft in solo flight outside of the area within a 50-mile radius of the operating base of the instructor prescribed in writing by the airport manager and approved by the local inspector of the Authority. Unless the airport manager is otherwise notified by such inspector within 15 days from the date of the receipt of such designation the flight area prescribed by him shall be deemed to have been approved.

(c) A limited-commercial pilot shall not pilot aircraft carrying persons for hire outside of the area within a radius of 10 miles of a particular operating base named in his Airman Rating Record: Provided, 'That upon 10 days' notice to and approval by a duly authorized inspector of the Authority, said area specified in such record may be changed to a different area.

(d) No person shall operate an aircraft in solo flight outside the flight area specified in his pilot certificate or Airman Rating Record.

§ 20.57 Inspection. The applicant for a pilot certificate or rating shall offer full cooperation with respect to any inspection or examination which may be made of such applicant upon proper request by any authorized representative of the Authority prior or subsequent to the issuance of a pilot certificate or rating.

§ 20.58 Standard of Performance. Every practical and theoretical examination and test shall be accomplished to the satisfaction of the Authority and the passing grade in the subject of examination and test shall be at least 70 percent. Each flight maneuver will be graded separately. Other examinations will each be graded as a whole.

§ 20.6 Pilot regulations.

§ 20.60 Airman rating record requirements. No certificated pilot, except a student pilot, shall operate any aircraft unless there is attached to his pilot certificate the appropriate Airman Rating Record, prescribed and issued by the Authority, nor shall any certificated pilot, including a student pilot, operate any aircraft otherwise than in accordance with the rating limitations prescribed by the Authority and set forth in his pilot certificate or Airman Rating Record: Provided, That

(a) the holder of a valid commercial that he has logged 8 hours of solo flight pilot certificate may pilot aircraft as a

amount of practice under simulated | cepted for any pilot certificate or rating | time and is deemed competent to make provided for in this Part: Provided, That the physical qualifications as shown in such prior examination are not less than those required by these regulations for the class of pilot certificate or rating applied for.

[&]quot; See footnote to § 20.35.

second pilot without a weight and engine classification rating for the particular aircraft operated;

(b) the holder of a valid private, limited-commercial, or commercial pilot certificate may pilot airplanes of a weight or engine classification, or of an airplane classification,12 other than that specified in his Airman Rating Record, but shall not carry any person other than a certificated instructor rated for the airplane operated or any member of the crew thereof.13

§ 20.61 Flight limitations.

§ 20.610 Student. A person possessed of a valid student pilot certificate or receiving dual instruction shall not pilot any aircraft carrying any person other than a certificated instructor. Such person shall not pilot any aircraft for hire. A person less than 21 years of age shall not receive dual instruction in any aircraft unless such person has first obtained the written consent of either parent, or legal or natural guardian and delivered such consent to his instructor.

§ 20.611 Solo pilot. A person possessed of a valid solo pilot certificate shall not pilot any aircraft for hire nor shall he pilot any aircraft carrying any person other than a certificated instructor.

§ 20.612 Private pilot. A person possessed of a valid private pilot certificate shall not pilot for hire any aircraft carrying any person or property; nor pilot any aircraft in furtherance of a business except as an incident to his personal transportation.

§ 20.613 Limited-commercial pilot. A person possessed of a valid limited-commercial pilot certificate shall not pilot any aircraft carrying any person for hire beyond the geographical limits specified on his Airman Rating Record: Provided, however, That such pilot may carry guests, executives, or employees of his employer beyond such limits if no additional payment is made for such carriage, and: Provided, further, That such pilot may serve as second pilot, except in scheduled air transportation service, beyond such geographical limits if the person in command of such aircraft is possessed of at least a valid commercial pilot certificate.

§ 20,614 Commercial pilot. A person possessed of a valid commercial pilot certificate shall not pilot any aircraft carrying any person or property in scheduled air transportation service unless also possessed of a valid instrument

12 See § 04.010 (landplane, seaplane, amphibian).

§ 20.615 Glider pilot. No person fully functioning dual controls and the shall pilot a glider for hire unless possessed of a valid commercial glider pilot certificate.

§ 20.616 Dual control airplanes. Airplanes equipped with fully or partially functioning dual controls shall not be operated with both control seats occupied unless one of such control seats is occupied (a) by a person possessed of at least a valid commercial pilot certificate, or (b) by a person possessed of at least a valid private pilot certificate and a valid instructor rating, or (c) by a person possessed of at least a valid private pilot certificate who has proved to the satisfaction of a duly authorized representative of the Authority that he has logged at least 200 hours of solo flight time and is competent to exercise the privilege granted by this section: Provided, That two persons may occupy such control seats if each such person is possessed of at least a valid private pilot certificate: Provided further, That where more than one passenger is carried for hire neither control seat shall be occupied by any person other than a properly certificated limited-commercial or commercial pilot.

§ 20.617 Uncertificated pilots. The owner of a certificated aircraft shall not permit any person to operate such aircraft unless such person is possessed of an appropriate currently effective pilot certificate.

§ 20.62 (Unassigned.) § 20.63 (Unassigned.)

§ 20.64 Night flying. No person shall take off or land an aircraft carrying passengers during the period between one hour after sunset and one hour before sunrise, unless he has made at least 5 take-offs and landings during such period within the 90 days immediately preceding such take-off or landing.

§ 20.65 Instruction. The following rules shall govern the giving of flight instruction:

§ 20.650 Rating required. No person shall give flying instruction to any other person unless possessed of at least a valid commercial pilot certificate and a valid instructor rating, or, in case of instruction of glider students, unless possessed of a valid commercial glider pilot certificate: Provided, however, That the holder of a valid private pilot certificate and a valid instructor rating may give flying instruction not for hire: Provided further, That nothing herein contained shall be construed to limit the instruction by one airline transport pilot of other pilots in air transportation service as provided in Part 21 of the Civil Air Regulations.

Time limitations. No in-§ 20.651 structor shall give more than 36 hours of dual flying instruction or check time in any 7 day period.

§ 20.652 Dual control instruction. No flight time shall be logged as instruction time by a student or a person giving instruction unless the aircraft in which the instruction was given was equipped with cate, upon a satisfactory showing to the

person giving the instruction held an appropriate pilot certificate and an instructor rating and was in full charge of one set of such controls. Such dual controls shall be fully functioning as set forth in § 20.53, except in aircraft manufactured prior to January 1, 1939.

§ 20.66 (Unassigned.)

\$ 20.67 Log-books. The following rules shall govern pilot log-books:

§ 20.670 General. Every certificated pilot and every person receiving flying instruction shall keep an accurate record of his flying time in a log-book in which the entries with respect to solo flying time have been certified to by him and the entries with respect to dual instruction have been certified to by his certificated instructor. Log-books shall be bound records and the entries shall be accurate, legible, in ink or indelible pencil, and so arranged as to facilitate easy reference thereto.

§ 20.671 Contents. The log-book shall contain the date of flight, the make and model of aircraft flown, its type, weight and engine classification, the aircraft identification mask, a statement of solo, dual instruction, instrument and night flying time, the duration of the flight, the points between which such flight was made, and, in addition, when any flight results in serious damage to the aircraft, a notation to this effect. Flying instruction time shall be logged in the same manner and, in addition, the instructor shall make complete entries in the log-book of his student showing the nature of each maneuver in which instruction was given and the time spent thereon. The instructor shall attest each such entry with his initials, pilot certificate number and pertinent rating. A log-book shall be presented for inspection, upon request and reasonable notice, to any authorized representative of the Authority or State or municipal officer enforcing local regulations or laws involving Federal compliance.

§ 20.672 Consideration of flying time. From and after November 1, 1937, no flying time shall be considered in connection with the issuance or endorsement of a pilot certificate unless the aircraft flown was a public or certificated aircraft.

§ 20.673 Logging instrument flight time. Instrument flight time may be logged as such only when the aircraft is flown solely by reference to instruments either under actual or properly simulated flight conditions. (Over-thetop flying shall not be logged as instrument flight time.)

§ 20.68 Foreign flights. No person shall be in command of any civil aircraft. of the United States flying in any foreign country unless possessed of a valid private, limited-commercial, commercial or airline transport pilot certificate, with a rating for the type, weight and engine classification of aircraft so flown.

§ 20.69 Qualified foreign pilots. (a) An applicant for a private pilot certifi-

This section does not permit a person limited to the operation of aircraft incapable of spinning under §§ 20.107 and 20.127 (g) to operate aircraft which are capable of spin-ning, nor does it permit persons who, by reason of physical deficiencies or for other reasons, have been limited under § 20.124 to the operation of a particular make or model of aircraft or a general type of aircraft, to operate other makes or models or other general types.

Authority that he is a member of a mil- ing rating, or equivalent, issued by his itary or naval service of a foreign country on flying status, or is a holder of a pilot certificate of competency issued by a foreign country, the privileges of which are not less than those of a private pilot, may be deemed by the Authority to have met the requirements prescribed in this Part for a private pilot certificate.

(b) The provisions of this Part shall not apply to certificates issued pursuant to this section nor to the holders of such certificates.

(c) Any person issued a private pilot certificate under the provisions of this section, before being eligible to pilot civil aircraft of the United States, shall offer proof satisfactory to an inspector of the Authority that he is the duly authorized representative of a foreign person or nation contemplating the purchase of aircraft manufactured in the United States, or that he is the duly authorized representative of the competent aeronautical authorities of the foreign nation in which such aircraft will be registered, and such private pilot shall not pilot any civil aircraft of the United States except aircraft which a foreign person or nation contemplates purchasing, and then only in accordance with such terms and conditions as the Authority may prescribe.

By the Authority.

[SEAL]

PAUL J. FRIZZELL. Secretary

[F. R. Doc. 40-672; Filed, February 14, 1940; 11:44 a. m.]

[Amendment 38, Civil Air Regulations]

MILITARY COMPETENCE FOR PILOTING AIR-CRAFT UNDER INSTRUMENT CONDITIONS

At a session of the Civil Aeronautics Authority held at its office in Washington, D. C., on the 7th day of November 1939

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, particularly sections 205 (a) and 601 (a) of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under said Act, the Civil Aeronautics Authority hereby amends the Civil Air Regulations as fol-

Effective May 1, 1940, section 60.50 of the Civil Air Regulations is amended so as to read as follows:

"§ 60.50 Pilot. No flight shall be made unless the pilot in charge-

- (a) holds a valid instrument rating; or
- (b) holds a valid airline transport pilot certificate: or
- (c) is an active member of the regular Army, Navy, Marine Corps or Coast Guard, or a reserve member of any such service on extended active duty for at least 1 year, and who holds at least a private pilot certificate issued by the prescribed in this Part for the particular Authority and a military instrument fly- mechanic rating sought.

service."

By the Authority.

[SEAL]

PAUL J. FRIZZELL, Secretary.

[F. R. Doc. 40-673; Filed, February 14, 1940; 11:44 a. m.]

[Amendment 39, Civil Air Regulations]

CREATING A NEW METHOD FOR CERTIFICA-TION OF MECHANICS

At a session of the Civil Aeronautics Authority held at its office in Washington, D. C. on the 22nd day December

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, particularly sections 205 (a), 601 (a) and 602 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of and to exercise and perform its powers and duties under said Act, the Civil Aeronautics Authority hereby amends the Civil Air Regulations as follows:

Effective May 1, 1940, Parts 24 and 25, as amended, of the Civil Air Regulations are stricken and the following new Part 24 is inserted in lieu thereof:

PART 24-MECHANIC CERTIFICATES

24.1 Mechanic certificate requirements.

24.11 Character.

24,12 Citizenship. Education.

24.14 Other requirements.

Mechanic ratings.

Aircraft mechanic rating.

Aircraft engine mechanic rating. Parachute rigger rating. 24.21

24.3 Mechanic certificate.

24.30 Application.

Display.

24 32

Duration.

Periodic endorsement requirements. 24.33

24.34 Non-transferability.

24.35 Surrender.

Re-examination.

Examinations and tests.

24.40 General. Time and place.

24.42

Inspection.
Standard of performance. 24.43

Mechanic regulations. 24.50

Airman Rating Record requirement. Parachute packing. Major and minor parachute repairs.

Mechanic certificate requirements. To be eligible for a mechanic certificate, an applicant shall comply with the following requirements:

§ 24.10 Age. Applicant shall be at least 18 years of age.

§ 24.11 Character. Applicant shall be of good moral character.

§ 24.12 Citizenship. Applicant may be of any nationality.

§ 24.13 Education. Applicant shall be able to read, write, speak and understand the English language.

§ 24.14 Other requirements. Applicant shall comply with the requirements

§ 24.2 Mechanic ratings. Mechanic ratings are as follows:

(a) Aircraft mechanic rating:

(b) Aircraft engine mechanic rating:

(c) Parachute rigger rating.

§ 24.20 Aircraft mechanic rating. To be eligible for an aircraft mechanic rating, an applicant shall comply with the following requirements:

§ 24.200 Aeronautical knowledge. Applicant shall have theoretical and practical knowledge of aircraft structure and rigging, including the control systems, and aircraft appliances, shall know how properly to inspect, maintain, and repair the same, and shall be generally familiar with the provisions of Parts 04 and 15, and thoroughly familiar with the provisions of section 60.32, the provisions of Part 01 dealing with aircraft airworthiness, and the provisions of Parts 18 and

§ 24.201 Aeronautical experience. Applicant shall have had at least one year of practical experience, or what is deemed by the Authority to be its equivalent, in the construction, inspection, maintenance, or repair of aircraft and aircraft appliances.

§ 24.202 Aeronautical skill. Applicant shall satisfactorily demonstrate, by means of written, oral and practical tests, his ability with respect to the subject matters prescribed in § 24.200.

§ 24.21 Aircraft engine mechanic rating. To be eligible for an aircraft engine mechanic rating, an applicant shall comply with the following requirements:

§ 24.210 Aeronautical knowledge. Applicant shall have theoretical and practical knowledge of aircraft power plants, propellers, and their appliances, shall know how properly to inspect, maintain and repair the same, and shall be generally familiar with the provisions of Parts 04, 13, and 14, and thoroughly familiar with the provisions of Part 01 dealing with aircraft airworthiness and the provisions of Parts 18 and 24.

§ 24.211 Aeronautical experience. Applicant shall have had at least one year of practical experience, or what is deemed by the Authority to be its equivalent, in the construction, inspection, maintenance, or repair of aircraft engines, propellers, and their appliances.

§ 24.212 Aeronautical skill. Applicant shall satisfactorily demonstrate, by means of written, oral and practical tests, his ability with respect to the subject matters prescribed in § 24.210.

§ 24.22 Parachute rigger rating. To be eligible for a parachute rigger rating, an applicant shall comply with the following requirements:

§ 24.220 Aeronautical knowledge. Applicant shall have theoretical and practical knowledge of parachutes, shall know how to properly pack, inspect, maintain, and repair the same and shall be familiar with the provisions of Part 24 and the applicable provisions of Part 15.

Applicant shall show satisfactory proof chanic ratings: of having packed 20 or more parachutes under the supervision of a certificated parachute rigger or a certificated mechanic holding a parachute rigger rating.

§ 24.222 Aeronautical skill. Applicant shall satisfactorily demonstrate, by means of written, oral and practical tests, his ability with respect to the subject matters prescribed in § 24.220.

§ 24.3 Mechanic certificate.

§ 24.30 Application. Application for a mechanic certificate shall be made upon the applicable form prescribed and furnished by the Authority.

§ 24.300 Application to amend. When any change in an Airman Rating Record is desired, the applicant shall file a written request therefor upon the applicable form prescribed and furnished

by the Authority.

§ 24.31 Display. A mechanic certificate shall be kept readily available to the mechanic at all times when he is serving in connection with certificated aircraft, aircraft engines, propellers, appliances, or parachutes and shall be presented for inspection upon the reasonable request

of any person.

§ 24.32 Duration. A mechanic certificate shall be of 60 days' duration and, unless the holder thereof is otherwise notified by the Authority within such period, shall continue in effect indefinitely thereafter, unless suspended or revoked by the Authority, except that it shall expire immediately (1) at the end of each designated period after the date of issuance therof if the holder of such certificate fails to secure an endorsement by an authorized inspector of the Authority within the last 45 days of each such period, or (2) at any time an authorized inspector of the Authority shall refuse to endorse such certificate after inspection or examination.

§ 24.33 Periodic endorsement requirements. No mechanic certificate shall receive a periodic endorsement unless the holder thereof shall make application for endorsement upon the applicable form prescribed and furnished by the Authority and shall have met the requirements hereinafter prescribed with

¹ Under § 24.50 no certificated mechanic who is directly in charge of packing para-chutes or of the inspection, maintenance, or repair of certificated aircraft, aircraft en-

gines, or their appliances, shall engage in such service unless the appropriate Airman Rating Record is attached to his certificate.

The Airman Rating Record is a sheet attached to all mechanic certificates when they

are issued and will contain the mechanic rating(s) held by the certificate holder.

A statement of duration will appear on

*A statement of duration will appear on all mechanic certificates and the period here referred to will be designated in that statement. The holder of a mechanic certificate will be required, under ordinary circumstances, to secure an endorsement every 2 years. Hereafter in this Part this period will be referred to as the "endorsement period."

*See footnote to \$ 24.32. Under \$ 24.32 a periodic endorsement can only be secured within the last 45 days of each endorsement period.

§ 24.221 Aeronautical experience. respect to the various classes of me-rigger certificate, in effect on May 1, 1940,

(a) Aircraft mechanic rating. Applicant shall have served as an aircraft mechanic for at least one-half of the endorsement period.

(b) Aircraft engine mechanic rating Applicant shall have served as an aircraft engine mechanic for at least onehalf of the endorsement period.4

(c) Parachute rigger rating. Applicant shall have served as a parachute rigger and shall have packed satisfactorily at least 25 parachutes during the endorsement period.

§ 24.34 Non-transferability. A mechanic certificate is not transferable.

§ 24.35 Surrender. Upon the suspension, revocation or expiration of a mechanic certificate, the holder thereof shall surrender such certificate, upon request, to any officer or employee of the Authority.

§ 24.36 Re-examination. An applicant for a mechanic certificate who has failed to successfully accomplish any prescribed theoretical or practical examination or test may apply for re-examination at any time after the expiration of 90 days from the date of such failure.

§ 24.4 Examinations and tests.

§ 24.40 General. The examinations and tests prescribed in this Part will be conducted by an authorized representative of the Authority.

§ 24.41 Time and place. All examinations and tests will be held at such times and places as the Authority or its

representative may prescribe.

§ 24.42 Inspection. The applicant for a mechanic certificate or rating shall offer full cooperation with respect to any inspection and examination which may be made of such applicant upon proper request by any authorized representative of the Authority prior or subsequent to the issuance of a mechanic certificate or

§ 24.43 Standard of performance. All practical or theoretical examinations and tests shall be accomplished to the satisfaction of the Authority, and the passing grade in each subject of examination or test shall be at least 70 percent.

§ 24.5 Mechanic regulations.

§ 24.50 Airman Rating Record requirement. A certificated mechanic who is directly in charge of packing parachutes or of the inspection, maintenance, or repair of certificated aircraft, aircraft engines, or their appliances, shall not engage in such service unless there is attached to his certificate the appropriate Airman Rating Record, prescribed and issued by the Authority. Every holder of a valid mechanic certificate, or parachute

may perform service pursuant to such authority without an Airman Rating Record until the expiration, suspension, or revocation of such license or certifi-

§ 24.51 Parachute packing. A certificated mechanic holding a currently effective parachute rigger rating shall not repack any parachute which is not in

condition for safe use.

§ 24.52 Major and minor parachute repairs. A certificated mechanic shall not make any major parachute repairs unless, at the time of making such repairs, he is in the employ of the manufacturer of the parachute or another parachute manufacturer deemed competent for the purpose by the Authority. Unless prior approval has been obtained from the Authority, such mechanic shall not pack or repack any parachute, or make any minor parachute repairs, such as the replacement of pack-opening rubbers, packs and pilot chutes, and the patching of holes and tears in silk, in a place other than where the following facilities for such operations are avail-

(a) A suitable table, at least 3 feet by 40 feet, with smooth surface:

(b) A rack where parachutes can be suspended for drying and airing;

(c) Packing tools and repair equipment suitable for the repacking and repair of the type of parachute involved:

(d) Adequate housing facilities for the above equipment.

By the Authority.

PAUL J. FRIZZELL. [SEAL] Secretary.

[F. R. Doc. 40-674; Filed, February 14, 1940; 11:44 a. m.]

739 9/50

TITLE 19-CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS [T. D. 50093]

COUNTERVAILING DUTIES-CANADIAN 93 AND 94 SCORE CHEESE

THE NET AMOUNTS OF BOUNTIES OR GRANTS ON CANADIAN 93 AND 94 SCORE CHEESE DECLARED PURSUANT TO THE PROVISIONS OF SECTION 303 OF THE TARIFF ACT OF 1930 AND COLLECTORS OF CUSTOMS IN-STRUCTED TO COLLECT ADDITIONAL DUTIES EQUAL TO SUCH NET AMOUNTS OF BOUN-TIES OR GRANTS 1

To Collectors of Customs and Others Concerned:

The Bureau is in receipt of official information that bounties or grants, within the meaning of section 303 of the Tariff Act of 1930 (U.S.C., title 19, sec. 1303), are paid or bestowed on cheese manufactured in Canada after May 31. 1939, from whole milk and of the ched-

^{*}A certificated mechanic who holds both an aircraft mechanic rating and an aircraft engine mechanic rating and who has served as an aircraft mechanic and as an aircraft engine mechanic for one-half of the endorsement period may receive a periodic endorsement for both ratings even though his service as such was concurrent.

This document affects the tabulation in 19 CFR 14.22.

dar type, including "washed curd" cheese.

I have estimated and determined and hereby declare the net amounts of such bounties or grants paid or bestowed with respect to such cheese to be one cent per pound if it scores 93 points and two cents per pound if it scores 94 or more points.

Collectors of customs, therefore, will collect on cheese described above, imported directly or indirectly, additional duties under section 303 of the tariff act at the appropriate rate above set forth, when such cheese is entered for consumption or withdrawn from warehouse for consumption after the expiration of 30 days after the publication of this decision in the weekly Treasury Decisions. (Sec. 303, 46 Stat. 687; 19 U.S.C. 1303)

[SEAL]

BASIL HARRIS.

Commissioner of Customs.

Approved February 9, 1940.

HERBERT E. GASTON,

Acting Secretary of the Treasury.

[F. R. Doc. 40-666; Filed, February 13, 1940; 4:04 p. m.]

TITLE 30-MINERAL RESOURCES

CHAPTER III-BITUMINOUS COAL DIVISION

[Order No. 290]

ORDER REVISING FORM OF ACCEPTANCE OF THE BITUMINOUS COAL CODE

Pursuant to the Bituminous Coal Act of 1937, and it appearing advisable to amend the form of Acceptance of the Bituminous Coal Code to be used by producers after February 19, 1940, it is hereby ordered:

1. That Acceptances of the Bituminous Coal Code executed and filed on and after February 20, 1940, shall be in form as follows:

[Form No. 1 (5th Revision) B. C. D. Form No. 5]

> UNITED STATES DEPARTMENT OF THE INTERIOR BITUMINOUS COAL DIVISION Washington, D. C.

ACCEPTANCE OF THE BITUMINOUS COAL CODE

| | 1 | |
|----------------------------------------|--------------------------------------------------------------|--|
| Name of producer Status of producer | | |
| Post Office Address | (Corporation, Partner- ship, Individual, Trustee etc.) | |
| | (Street) (Town or City) | |
| If partnership, give partner: | (State) name and address of each | |
| (Name) | (Street) | |
| (Town or City) | (State) | |
| (Name) | (Street) | |
| (Town or City) | (State) | |
| (Name) | (Street) | |

(State)

(Town or City)

The undersigned, a bituminous coal producer (herein referred to as the 'producer'), hereby accepts the Bituminous Coal Code as published by the National Bituminous Coal Commission on May 21, 1937, and promulgated by said Commission on June 21, 1937, pursuant to the provisions of the Bituminous Coal Act of 1937 (Public No. 48, 75th Cong., 1st sess.), and hereby claims exemption from the tax imposed by subsection (b) of section 3 of said Act during the continuance of his membership in the Code.

The names or other designations of the mines now operated by the producer, the

mines now operated by the producer, the respective locations thereof by State, Country and Township, and by District (as such term is defined in the Act), and pertinent information relating to such mines (in so far as such information is available) are as follows:

The information requested below is to be furnished in respect to each mine of the undersigned;

| A CONTRACTOR OF THE CONTRACTOR |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Present mine name |
| Former mine name |
| Seam |
| Type of operation: (Strip) (Slope) |
| (Short) (Duiet) |
| (Shaft) (Drift) |
| Location of mine: (State) |
| (County) (Township) |
| (District No) (Subdistrict) |
| Mine post office address |
| Mode of transportation: (Rail) |
| (Truck) (River) |
| Name of railroad or railroads serving |
| mine Railroad ship- |
| mine maint as points |
| ping point or points |
| Location of river tipple |
| Name or number of nearest National high- |

way _____ Distance of mine there-Name or number of nearest State highway Distance of mine there

Tonnage produced in 1936 ____; in 1937 ____; in 1938 ____; in 1939 ____.

Date or year when mine first commenced operation

If ownership of or right to operate mine was acquired from a former operator after
June 21, 1937, give name and address of last
prior operator _______ Date acquired

Date last prior operator ceased production

1. The producer hereby consents and agrees that all proceedings, findings and orders which have heretofore been taken or made by the National Bituminous Coal Commission or the Bituminous Coal Division relating to the determination of costs and relating to the determination of costs and the establishment of minimum prices under Sections 4. II (a) and 4, II (b) of the Bituminous Coal Act of 1937, to the establishment of marketing rules and regulations, and to any other matters under the Act, are and shall be applicable to him as fully as if he had been a code member at the time as if he had been a code member at the time said proceedings were taken and said find-

ings and orders made.

2. The producer hereby consents and agrees that any price classifications or minimum prices which have heretofore been proposed by any District Board or established

posed by any District Board or established by order of the Bituminous Coal Division for any coals of said producer's mines are and shall continue to be applicable to said coals: Provided, however, That nothing in paragraphs 1 or 2 shall deprive the producer of his right to file a petition under Section 4, II (d) of the Act for change in such classifications or prices.

3. The producer hereby consents and

3. The producer hereby consents and agrees that with respect to coals from the aforesaid mines for which no minimum prices or price classifications have heretofore been proposed or established, and with respect to coals from any mines that the producer may herefor acquire for which no ducer may hereafter acquire, for which no minimum prices or price classifications have heretofore been proposed or established, temporary coordinated minimum prices, f. o. b. transportation facilities at the mines, and price classifications, may be established,

with the approval of the Division, for the kinds, sizes and qualities of such coals, in accordance with the standards of Section 4, II (a) and 4, II (b) of the Act: Provided, however, That a hearing shall be held to determine the final coordinated minimum prices which should be established for the coals in question: And provided, further, That the producer, or any other person elligible to become a party to a proceeding under Section 4, II (d) of the Act, may file a petition, pursuant to such section, protesting such temporary coordinated minimum prices or price classifications, and requesting a hearing thereon.

4. The producer agrees to abide by and observe the temporary coordinated minimum prices as long as they are in effect.

5. The producer further agrees that he will notify the District Board and the Director as soon as possible after any mine operated by him has been permanently abandoned, or after any mine other than those listed above is opened or acquired by him, or after any type, quality or size of coal is produced or marketed by him other than those produced or marketed at the date of this Code acceptance.

6. The producer further agrees to pay lawful assessments of the District Board for the

(Town or City and State)

[CORPORATE SEAL] (Signature of Applicant)

(1) ACKNOWLEDGMENT BY INDIVIDUAL

STATE OF . County of _____, ss: On this _____, day of _____, 19__, before me, a | Notary Public * | Justice of the Peace * |, in and for said county and State, personally appeared _____ who in due form of law, acknowledged the foregoing acceptance of the Bituminous Coal Code to be his

[SEAL] ----Notary Public or Justice of the Peace."

free act and deed.

My Commission expires ___

(2) ACKNOWLEDGMENT BY PARTNER ON BEHALF OF PARTNERSHIP

County of _____, ss:
On this _____, day of _____, 19__, before me,

| Notary Public* | Justice of the Peace* | in and for said (Name of Partner) personally appeared county and State, (Name of Parther)
nership doing business as _____(Name of Part-

who, in due form of law, duly acnership)

knowledged the foregoing Acceptance of the Bituminous Coal Code to be the free act and deed of said partnership.

Notary Public or Justice of the Peace.* My Commission expires ___

*Strike out inapplicable term or terms, and if necessary insert appropriate term.

(3) ACKNOWLEDGMENT ON BEHALF OF CORPORATION

STATE OF County of _. Before me, a Justice of the Peace* in and for said county and State, personally ap-peared who, being duly sworn according to law, deposes and says that he is _____ (Title of Officer) (Name of Corporation)

foregoing Acceptance of the Bituminous Coal Code is the corporate seal of the cor-poration; that such acceptance was signed and sealed on behalf of the corporation by authority of its | board of directors*; | and that deponent acknowledges the same to be

the free act and deed of the corporation.

Sworn to and subscribed before me this day of _____, 19__.

Notary Public or Justice of the Peace.* My Commission expires ___

*Strike out inapplicable term or terms, and if necessary insert appropriate term.

INSTRUCTIONS

1. Acceptances by corporate producers must be signed and acknowledged by a duly authorized principal officer or officers of the corporation, and must be accompanied by a certified copy of the resolution of the directors or shareholders of the corporation or other authority for executing such acceptance.

Acceptances by partnership producers must be signed and acknowledged by one or more of the partners duly authorized for that

Acceptances by individual producers must be signed and acknowledged by the producer or his agent duly qualified for that purpose. 2. Where any individual, partnership, or corporation files an acceptance for any other individual, partnership, or corporation, a copy of the power of attorney or other authoriza-tion duly witnessed and acknowledged, must accompany the acceptance.

3. Separate acceptances must be filed by or on behalf of each producer. The rights and exemptions created by an acceptance shall not be transferable or assignable and shall not extend to any other producer, in-dividual, partnership, or corporation, regard-less of affiliations or interest.

4. Until otherwise notified in writing, the Division will direct all communications and notices to the producer at the post office

address stated in this acceptance.

5. An acceptance shall become effective only when properly executed and filed with the Division at Washington, D. C.

2. That the provisions of this Order shall not apply to Acceptances of the Code which have been or shall be executed and filed on or prior to February 19, 1940, and producers who have executed and filed such Acceptances shall not be required to execute the revised form of Code Acceptance, above set out.

Dated, February 14, 1940.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 40-678; Filed, February 14, 1940; 12:40 p. m.]

Notices

TREASURY DEPARTMENT.

Public Debt Service.

THREE AND THREE-EIGHTHS PERCENT TREASURY BONDS OF 1940-43

NOTICE OF CALL FOR REDEMPTION

- To Holders of 3% percent Treasury Bonds of 1940-43, and Others Concerned:
- 1. Public notice is hereby given that all outstanding 3% percent Treasury Bonds

incorporated under the laws of the State of 1940-43, dated July 16, 1928, are hereby called for redemption on June 15, 1940. on which date interest on such bonds will cease

- 2. Full information regarding the presentation and surrender of the bonds for redemption under this call will be given in a Treasury Department circular to be issued later.
- 3. Holders of these bonds may, in advance of the redemption date, be offered the privilege of exchanging all or any part of their called bonds for other interest-bearing obligations of the United States, in which event public notice will hereafter be given.

[SEAL] HENRY MORGENTHAU, Jr., Secretary of the Treasury.

FEBRUARY 14, 1940.

[F. R. Doc. 40-675; Filed, February 14, 1940; 12:00 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF OPPORTUNITY TO PETITION FOR REVIEW OF DETERMINATION GRANTING IN PART AND DENYING IN PART APPLICATION FOR PARTIAL EXEMPTION OF THE DECO-RATIVE GREENS INDUSTRY AS A SEASONAL INDUSTRY

Whereas, application has been made by the Halvorson Trees, Inc., The Bradbury Company, The Northwest Evergreen Company, and sundry other parties, under Section 7 (b) (3) of the Fair Labor Standards Act of 1938, and Regulations, Part 526, as amended (Regulations applicable to industries of a seasonal nature), issued by the Administrator thereunder, for partial exemption of the Decorative Greens Industry from the maximum hours provisions of Section 7 (a) of said Act pursuant to Section 7 (b) (3) applicable to industries found by the Administrator to be of a seasonal nature:

Whereas, a public hearing 1 on the said applications was held before Harold Stein, the representative of the Administrator of the Wage and Hour Division, duly authorized to hear and determine whether or not the said industry or branch thereof is of a seasonal nature within the meaning of Section 7 (b) (3) of the Fair Labor Standards Act of 1938. and Part 526 of Regulations issued thereunder; and

Whereas, following such hearing, the said Harold Stein duly made his findings of fact and determined as follows:

1. (a) That the harvesting and preparing of undried evergreens, including both evergreen and deciduous holly but excluding evergreen huckleberry and evergreen ferns in the State of Washington, for use as Christmas trees, wreaths, decorative boughs, ropings, grave blankets, sprays, bouquets, and baskets, including the incidental handling and shipping thereof; and

14 F.R. 4573.

- (b) the processing of coniferous evergreen trees into Christmas trees including the handling and shipping incident thereto: and
- (c) the processing of undried evergreen holly including the handling and shipping incident thereto except when such processing is conducted as part of the florist supply business which operates throughout the year;

takes place during a season or seasons aggregating six months or less occurring in a regularly, annually recurring part or parts of the year and ceases apart from work such as maintenance, repair, clerical and sales work during the remainder of the year, because, owing to climate, the undried evergreens, including deciduous holly, are unavailable in the form in which they are used and hence constitute industries of a seasonal nature within the meaning of Section 7 (b) (3) of the Act and Part 526 of the Regulations issued thereunder.

2. That the harvesting and preparing of evergreen huckleberry and evergreen ferns in the State of Washington takes place during a season in excess of six months and so long as to be inconsistent with the period of exemption afforded by Section 7 (b) (3) of the Act and does not cease for any substantial period apart from work such as maintenance, repair, clerical and sales work;

and hence does not constitute an industry of a seasonal nature within the meaning of Section 7 (b) (3) of the Act and Part 526 of the Regulations issued thereunder.

3. That the preparing and processing of dried decorative greens, including the handling and shipping incident thereto, is not a separate and distinct industry but is an integral part of the florist supply industry, and that entire enterprise does not cease operation at any time during the year;

and therefore is not an industry of a seasonal nature within the meaning of Section 7 (b) (3) of the Act and Part 526 of the Regulations issued thereunder.

4. That no pertinent evidence was presented at the hearing in the matter of jobbing and central market distribution of evergreens, or in the matter of the harvesting, handling, processing, shipping or distributing of undried commercial greens, other than evergreens and deciduous holly;

and therefore no finding is possible with respect thereto; and

Whereas, said Findings and Determination were duly filed with the Administrator on February 1, 1940, and are now on file in his office, Room 5144, Department of Labor Building, Washington, D. C., and available for examination by all interested parties:

Now, therefore, pursuant to the provisions of section 526.7 of the aforesaid

No. 32-3

Regulations, notice is hereby given that | SECURITIES AND EXCHANGE COM- | in such matter. The officer so designated any person aggrieved by the said determination may, within fifteen days after the date this notice appears in the FEDERAL REGISTER, file a petition with the Administrator requesting that he review the action of the said representative upon the record of hearing before the said representative.

Signed at Washington, D. C., this 10th day of February, 1940.

> HAROLD D. JACOBS, Administrator.

[F. R. Doc. 40-663; Filed, February 13, 1940; 3:26 p. m.]

FEDERAL COMMUNICATIONS COM-MISSION.

[Docket No. 5812]

IN RE APPLICATION OF ANTHRACITE BROAD-CASTING CO., INC., (NEW)

NOTICE OF HEARING

Correction

F. R. Doc. 40-652 (filed, February 12, 1940, at 3:40 p. m.), appearing on Page 669 of the issue for Wednesday, February 14, 1940, should be corrected by changing "frequency, 1350 kc.;" to read "frequency, 1370 kc.;" in the italic paragraph appearing in the third column.

MISSION.

United States of America-Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 14th day of February, A. D. 1940.

[File No. 67-7]

IN THE MATTER OF AMERICAN GAS AND ELECTRIC COMPANY

NOTICE OF AND ORDER FOR HEARING

A declaration pursuant to Rule U-12B-1 promulgated under Section 12 (b) of the Public Utility Holding Company Act of 1935 having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing in such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on February 20, 1940 at 10:00 o'clock in the forenoon of that day at the Securities and Exchange Building, 1778 Pennsylvania Avenue, N. W., Washington, D. C. On such day the hearing room clerk in Room 1102 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declaration shall become effective.

It is further ordered. That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings

to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under Section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before February 19, 1940.

The matter concerned herewith is in regard to proposed loans of \$1,200,000 to Appalachian Electric Power Company and \$250,000 to Kentucky and West Virginia Power Company, Incorporated, subsidiary electric utility companies of American Gas and Electric Company. Said declaration states that the purpose of the loans is to permit the two companies to meet in part obligations incurred for property additions and to meet in part the cost of Dike property additions now in progress.

By the Commission.

[SEAL] FRANCIS P. BRASSOR. Secretary.

[F. R. Doc. 40-677; Filed, February 14, 1940; 12:33 p. m.]